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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

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November 24, 2015

VIA ELECTRONIC TRANSMISSION

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Dear Mr. Kendall, Mr. MacDougall, Ms. Dunn, Mr. Rodriguez, and Ms. Wilkinson:

On October 19, 2015, a news reporting website published an invoice allegedly from Platte River Networks and addressed to Marcum, LLP, the accounting firm reportedly representing Bill and Hillary Clinton.¹ The invoice, dated September 16, 2015, includes line items for “[l]egal activity re: Hillary Clinton” and “PR for Clinton email media inquiries.”² According to a November Politico article, when asked to authenticate the invoice, the Clinton campaign said “Clinton is not paying”—in the present tense—for Platte River Network’s legal and public-relations bills.³ The article also reported that the campaign said it had not received the invoice, though the article was silent as to whether the actual addressee, Marcum, LLP, had received it.

¹ Todd Shepherd, *Platte River Networks Seeks Legal, PR Reimbursements From Clinton*, THE COMPLETE COLORADO, Oct. 19, 2015. Accessible at <http://completecolorado.com/pagetwo/2015/10/19/document-platte-river-networks-seeks-legal-pr-reimbursements-from-clinton/>

² *Id.*

³ Rachel Bade, *Clinton Email Companies Rebuff Senate Investigators*, POLITICO, Nov. 13, 2015. Accessible at <http://www.politico.com/story/2015/11/stonewall-215772>. The reported response from the Clinton campaign similarly failed to address whether any entity affiliated with Secretary Clinton, such as Clinton Executive Services Corp., rather than Secretary Clinton herself, paid for Platte River Network’s legal and public relations fees.

The invoice raises questions as to whether Secretary Clinton has similar arrangements with other people or entities associated with her email server. In light of this, it is important for the Committee to know whether Secretary Clinton and her attorneys are providing financial support, legal support, or other coordination to those associates of hers who are involved in congressional committee and federal law enforcement inquiries relating to her email server.

In particular, the Committee needs to know whether the parties involved have participated in any third-party fee arrangements or joint defense agreements. As you are aware, such arrangements can pose conflict-of-interest issues. Given that the Committee has broached the idea of immunity with Mr. Pagliano, his involvement in a third-party fee arrangement or joint defense agreement with any of the parties about whom he may be asked to testify would raise substantial concerns. Similar concerns may apply to the rest of the parties involved, including companies like Platte River Networks.

Accordingly, in order for the Committee to evaluate the potential effects of such arrangements on the Committee's inquiry, please respond to the following:

1. Have you or your clients entered into a third-party fee arrangement or a joint defense agreement relating to the Committee's investigation, or any other government entity's inquiry, into Secretary Clinton's server, email arrangement, or related issues?
2. If so, who are the parties to any such agreement?
3. What are the terms of the agreement(s)?
4. When was the agreement created and who initiated its creation?
5. To date, how much money has been paid pursuant to any such third-party fee agreement? Who made the payments, and who received them?
6. Is any attorney or other party serving as the primary point of contact for responses to inquiries covered by any third-party fee agreement or joint defense agreement? If so, who?

Please number your responses according to their corresponding questions and respond no later than December 8, 2015. Thank you in advance for your cooperation with this request. If you have questions, please contact Josh Flynn-Brown of my Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary