
From: Larsen, Chris (USAWIE) [Chris.Larsen@usdoj.gov]
Sent: Tuesday, February 12, 2008 10:59 AM
To: Kanassatega, Joshua
Cc: Glenn Reynolds; Kara Pfister (RightFax)
Subject: RE: BIA Records Review

Dear Jay – We will have to cancel your review session for tomorrow, Feb.12. In the meantime, I am making plans to have the entirety of the BIAK boxes copied and produced to you within the next few weeks.

Regards,

Chris Larsen
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Eastern District of Wisconsin
517 East Wisconsin Avenue
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Milwaukee, WI 53202
414-297-1581 (P)
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From: Kanassatega, Joshua [mailto:joshua.kanassatega@leonard.com]
Sent: Friday, February 08, 2008 2:41 PM
To: Larsen, Chris (USAWIE)
Cc: Glenn Reynolds
Subject: RE: BIA Records Review

Good afternoon Chris:

The Government's position on this matter is curious. However, in partial response to your e-mail, I am forwarding a copy of my e-mail response to you from Monday, February 4, 2008 and offer an additional comment.

Your e-mail response to my January 25, 2008 e-mail raises many serious and troubling issues -- most of which I will put off until we hold our as-yet-to-be scheduled discovery conference. Please let me know your availability to confer on Friday, February 8th, or the early part of next week. In addition, my schedule will no longer allow me to review documents at MRO on February 7th and 8th. Instead, I propose to continue the document review beginning on February 12, 2008 and continuing each day thereafter through February 15, 2008. Please let me know BIA's availability to accommodate this next round of document review.

Regards,

Jay

Further, Menominee disagrees with the Government's premature assertion that Menominee "should endeavor to conclude your inspection by the close of business on Feb. 13" and respectfully requests that the Government either rescind this position. If the Government decides to maintain this position, at Monday's discovery conference, you should be prepared to discuss the issue and provide Menominee with an explanation as to why it has become necessary to summarily deny Menominee access to relevant discovery -- well in advance of the April 1, 2008 Court ordered deadline and particularly without first producing a copy of all responsive documents. Please let me (as well as Glenn) know what times you are available to confer on Monday.

4/8/2008

EXHIBIT 9

Thank you.

Jay

From: Larsen, Chris (USAWIE) [mailto:Chris.Larsen@usdoj.gov]
Sent: Friday, February 08, 2008 12:38 PM
To: Kanassatega, Joshua
Cc: Glenn Reynolds; Kara Pfister (RightFax)
Subject: BIA Records Review

Hi Jay – at your request, the BIA has reserved GSA Classroom G103 for your continuing records review on Feb. 12 and 13. Please keep in mind the government’s position that you should endeavor to conclude your inspection by the close of business on Feb. 13. As I indicated previously, we are willing to produce additional copies at this point at MTE’s expense. Thanks for your cooperation,

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