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2138 RAYBURN HOUSE OFFICE BUILDING

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(202) 225-3961
<http://www.house.gov/judiciary>

May 7, 2009

The Honorable Eric Holder
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Dear Attorney General Holder:

We are writing to renew the request that the Department of Justice review the issue of possible prosecutorial misconduct during the trial of Mr. Peter Palivos. On October 20, 2005, Mr. Palivos was convicted in the United States District Court for the Northern District of Illinois of conspiracy to obstruct justice and sentenced to prison for one year and one day. Mr. Palivos has asserted that the prosecutors inappropriately pursued this action allegedly because of his past unwillingness to testify against former Governor George Ryan. He also claims that Assistant United States Attorney William Hogan and former Assistant United States Attorney Eric Wilson pressured witnesses to falsely testify against him.

On January 16, 2008, affidavits that were submitted to the House Judiciary Committee were transmitted to then-Attorney General Michael Mukasey. On February 29, 2008, the Department's Office of Professional Responsibility (OPR) declined to investigate this matter. Given the recent statements by Mary Patrice Brown, Acting Counsel of OPR, that there will be "a lot more transparency in the OPR investigations,"¹ we hope the Department will conduct a fresh examination of this case. Additionally, we request that the Department make the following

¹Joe Palazzolo and Mike Scarcella, *New OPR Chief Predicts More Transparency in Attorney Investigations*, THE NATIONAL LAW JOURNAL, May 7, 2009.


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six individuals available to the Judiciary Committee for interviews: former AUSA Patrick Collins, Small Business Administration Agent Thomas Heinzer, AUSA William Hogan, AUSA Marsha McClellan, AUSA Pierre Talbert, and former AUSA Eric Wilson.

Thank you for your attention to this matter. Responses and questions should be directed to the Judiciary Committee office, 2138 Rayburn House Office Building, Washington, D.C. 20515 (tel: 202-225-3951; fax: 202-225-7680).

Sincerely,


The Honorable John Conyers, Jr.
Chairman


The Honorable Henry C. "Hank" Johnson
Chairman, Subcommittee on Courts and
Competition Policy

cc: The Honorable Lamar S. Smith
The Honorable Louie Gohmert
Mr. Ron Weich