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March 11, 2016

VIA ELECTRONIC DELIVERY

The Honorable Ron Johnson
Chairman
Committee on Homeland Security and Governmental Affairs
The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

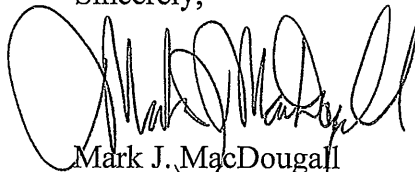
Re: Bryan Pagliano

Dear Chairmen Johnson and Grassley:

We are writing in response to your latest letter to us dated March 3, 2016. As we have stated in reply to each of your previous invitations, Mr. Pagliano will respectfully decline your request to participate in an interview with the Committee on the Judiciary or the Committee on Homeland Security and Governmental Affairs.

In declining your invitation to our client, we should clarify one serious misstatement in your letter. Mr. Pagliano has not waived his rights under the Fifth Amendment as a matter of fact or law. Much of the media reporting with regard to Mr. Pagliano – that is apparently relied upon by your Committees – is inaccurate and misleading. With all appropriate respect, whether and when a citizen may assert a constitutional right is not up to your legal staff. Whatever agreement Mr. Pagliano may have reached with the Department of Justice in no way constitutes a waiver of his Fifth Amendment rights.

Sincerely,



Mark J. MacDougall

Constance D. O'Connor

Connor Mullin

Counsel for Bryan Pagliano

The Honorable Charles E. Grassley
March 11, 2016
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cc: The Honorable Thomas R. Carper
Ranking Member
Committee on Homeland Security and Governmental Affairs

The Honorable Patrick J. Leahy
Ranking Member
Committee on the Judiciary