

# Akin Gump

STRAUSS HAUER & FELD LLP

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February 2, 2016

## VIA ELECTRONIC DELIVERY

The Honorable Charles E. Grassley  
Chairman, Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Re: Bryan Pagliano

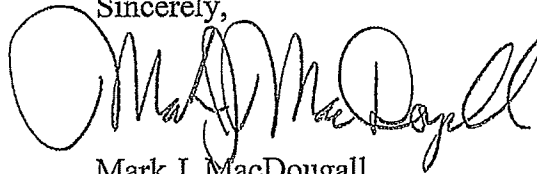
Dear Chairman Grassley:

I am writing in response to your January 14, 2016 letter which was addressed to our client, Bryan Pagliano. In that letter, you asked Mr. Pagliano to answer a series of six questions regarding the nature of his relationship with his lawyers. The six questions asked in your letter of January 14 are substantially identical to the six questions you asked us, as Mr. Pagliano's legal counsel, in your letter of November 24, 2015. These questions are all apparently based on reports published by *Politico* and a website called *The Complete Colorado*.

As you and your legal staff are well aware, Mr. Pagliano is represented by counsel in connection with your Committee's investigation. We find it troubling that the Chairman of the Senate Judiciary Committee would overtly seek to circumvent the attorney-client relationship, in clear violation of Model Rule of Professional Conduct 4.2, by seeking to ask a represented person questions that his lawyers have already declined to answer.

Our reply to this latest letter is the same as our original response, conveyed to you in our letter of December 8, 2015. We must respectfully decline to answer any of the questions raised in your letters of November 24, 2015 and January 14, 2016—or any similar inquiries regarding our professional relationship with our client. The terms of our engagement as legal counsel to Mr. Pagliano are confidential and outside the scope of any reasonable inquiry by the Committee.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark J. MacDougall', written over a large, stylized circular flourish.

Mark J. MacDougall  
Constance D. O'Connor  
Connor Mullin  
*Counsel for Bryan Pagliano*

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