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**URGENT – DATED MATERIAL**

**PREPUBLICATION CLEARANCE DEADLINE SET FOR CLOSE OF  
BUSINESS**

Hon. Eric H. Holder  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

12:50 PM  
8-3-09  
Hand-served to AJ  
ROD

Dear Attorney General Holder:

I am writing in regard to my client, Ms. Sibel D. Edmonds, a former contract language specialist employed by the Federal Bureau of Investigation. As you may recall, the FBI illegally fired Ms. Edmonds due to her protected disclosures. The illegality of her termination, and the serious misconduct committed by the FBI in her case, was confirmed by an independent investigation conducted by the Department of Justice Office of Inspector General. This report is public and available on the web site of the Inspector General.

On or about October 18, 2002 the previous administration invoked the "States Secret" privilege in order to have her whistleblower/First Amendment claims dismissed. At the time it was clear that this so-called "privilege" was improperly invoked in order to protect the government from embarrassment and the public disclosure of misconduct committed by FBI officials and other ranking members of the United States Government.

Ms. Edmonds has now been requested to provide sworn deposition and affidavit testimony in a case pending before the Ohio Elections Commission case, entitled *Schmidt v. Krikorian*. I have attached the unsigned draft of the written affidavit. I request that this document be cleared under the pre-publication review rules by the close of business today. The time urgency is directly justified due to the fact that this case (for which Ms. Edmonds is not a party and has no control over its timing) is set for a hearing on a preliminary injunction, to be heard on Wednesday, August 5, 2009.

RECEIVED BY  
DAVID BURRUSCH

In regard to the deposition testimony, nothing can be presented in writing, as this proceeding would be oral in nature.

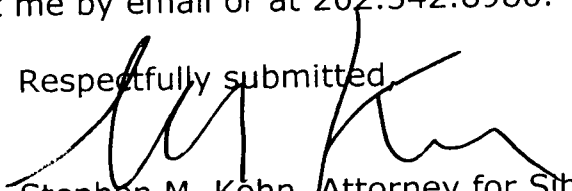
Given the pendency of this case, and the request for her testimony, continued invocation of the State's Secret privilege is no longer warranted. We hereby request that your office immediately and independently review the basis upon which that "privilege" was initially invoked, and formally and in writing, withdraw that privilege.

Given the time sensitivity of this matter, we will assume that the privilege has been formally revoked unless we obtain written confirmation that you, as the Attorney General of the United States, have personally reviewed the basis of that so-called "privilege" and have executed an affidavit specially invoking that privilege in the case of Schmidt v. Krikorian as it relates to the testimony of Ms. Edmonds. Given the fact that the current administration pledged to carefully review the prior administration's use and potential abuse of this "privilege," I assume you are already fully aware of the facts surrounding Ms. Edmonds's case.

Furthermore, I know you understand the fundamental right of every American to have access to the testimony of witnesses. This right of due process pre-dates the founding of our Republic and was enshrined in our Constitution. You are legally bound to implement the Constitution of the United States, regardless of the political position taken by the current or former administration. We hereby request that in accordance with your oath of office, you immediately revoke the States Secret privilege as it relates to Ms. Edmonds.

Thank you for your prompt attention to this matter. If you have any questions please contact me by email or at 202.342.6980.

Respectfully submitted,



Stephen M. Kohn, Attorney for Sibel Edmonds

CC:

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