In responding to your Freedom of Information Act (FOIA) request dated December 12, 2016, seeking records relating to President-Elect Donald Trump’s Transition Team, the Civil Division identified 24 pages of documents that originated with or are of primary interest to the Justice Management Division (JMD) and referred them to the JMD FOIA Office for a determination regarding release. We have reviewed the records and have determined that they may be released with a few redactions under Exemption 5, for deliberative process communications, and Exemption 6, for certain personal contact information, as marked.

You may contact our FOIA Public Liaison, Karen McFadden, at (202) 514-3101 or karen.mcfadden@usdoj.gov, for further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202 741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to your request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, N.W., Washington, DC 20530-0001, or you may submit an appeal through OIP’s eFOIA portal at: http://www.justice.gov/oip/efoia-portal.html. Your appeal must be postmarked or transmitted electronically within 90 days from the date of this letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked “Freedom of Information Act Appeal.”

Sincerely,

Arthur E. Gary
General Counsel
Thanks!

--- Original message ---

From: The AAG for Administration <Ex_AAGAdmin@jmd.usdoj.gov>

Date: 11/29/16 10:08 AM (GMT-05:00)

To: "Heads of Department Components (JMD)" <HeadsofDepartmentComponents@jmd.usdoj.gov>, "Foster, Lisa (A2J)" <lfoster@jmd.usdoj.gov>, "Jweied, Maha (A2J)" <njweied@jmd.usdoj.gov>, "Lash, Karen (A2J)" <klash@jmd.usdoj.gov>, "Stephan P." <Matthews@usdoj.gov>, "Bennett, Megan A. (ATF)" <Megan.A.Bennett@usdoj.gov>, "VIDOLI, Marino F. (ATF)" <Marino.V.Vidoli@usdoj.gov>, "COHEN, Scott (ATR)" <Scott.Cohen@ATR.USDOJ.GOV>, "GAVIN, Mark" <Mark.Gavin@ATR.USDOJ.GOV>, "CLAYTON, Marla (BOP)" <Marla.Clayton@usdoj.gov>, "GROSS, Bradley T (BOP)" <Bradley.T.Gross@usdoj.gov>, "EMERSON, Catherine V. (CIV)" <cemerson@CIV.USDOJ.GOV>, "HENRY, Wayne (COPS)" <whenry@cops.usdoj.gov>, "McQuay, Katherine (COPS)" <kmcquay@cops.usdoj.gov>, "BASS, Stacie" <Stacie.Bass@CRM.USDOJ.GOV>, "MELTON, Tracy" <Tracy.Melton@CRM.USDOJ.GOV>, "ROBINSON, DurShawn E (CRS)" <DurShawn.Robinson@CRS.USDOJ.GOV>, "HOWE, Suey (CRT)" <Susan.Howe@crts.usdoj.gov>, "WONG, Gary (CRT)" <Gary.Wong@crts.usdoj.gov>, "HORN, Brian G. (DEA)" <Brian.G.Horn@usdoj.gov>, "SUTTON, Jeffrey W (DEA)" <Jeffrey.W.Sutton@usdoj.gov>, "COLLIER, Andrew (ENRD)" <ACollier@ENRD.USDOJ.GOV>, "MCCARTHY, Margaret (ENRD)" <MMcCarthy@ENRD.USDOJ.GOV>, "Scheehy, Kate (EOIR)" <Kate.Scheehy@EOIR.USDOJ.GOV>, "Flinn, Shawn (USAEO)" <Shawn.Flinn@usdoj.gov>, "Catapano, Debbie (USTP)" <Debbie.Catapano@UST.DOJ.GOV>, "LaFrancois, Jeremy R (FCSC)" <jralfrancois@jmd.usdoj.gov>, "Simkin, Brian (FCSC)" <bsimkin@jmd.usdoj.gov>, "Carter, Cyntoria (JMD)" <cycarter@jmd.usdoj.gov>, "Jenkins, Mark A (NSD)" <mjjenkins@jmd.usdoj.gov>, "Elias, John (OAAG)" <jelias@jmd.usdoj.gov>, "Schreiber, Jayne (OAG)" <jschreiben@jmd.usdoj.gov>, "Alston, Rae N (OARM)" <ralston@jmd.usdoj.gov>, "Maxey, Peter (OCDETF)" <pmmaxey@jmd.usdoj.gov>, "Padden, Thomas (OCDETF)" <tpadden@jmd.usdoj.gov>, "Bruck, Andrew J. (ODAG)" <ajbruck@jmd.usdoj.gov>, "Powell, Selena Y (ODAG)" <spowell@jmd.usdoj.gov>, "Peters, Gregory T. (OIG)" <Greg.T.Peters@usdoj.gov>, "Mallon, Carmen L (OIP)" <cmallon@jmd.usdoj.gov>, "Henneberg, Maureen" <Maureen.Henneberg@oip.usdoj.gov>, "Merkle, Phillip" <Phillip.Merkle@oip.usdoj.gov>, "Callier, Saundra M (OLA)" <scallier@jmd.usdoj.gov>, "Goldberg, Daniel L. (OLA)" <dgoldberg@jmd.usdoj.gov>, "Thompson, Karl (OLC)" <kthompson@jmd.usdoj.gov>, "Matthews, Martina (OLP)" <mmmatthews@jmd.usdoj.gov>, "Taylor, Will (OPATTY)" <wttaylor@jmd.usdoj.gov>, "LaPoint, Jennifer (OPR)" <jennifer.LaPoint@opr.usdoj.gov>, "Collery, Keith A. (OSG)" <kcollery@jmd.usdoj.gov>, "Yancey, Valerie Hall (OSG)" <vyhancey@jmd.usdoj.gov>, "Jacobs, Jeanne H (OTJ)" <ejacobs@jmd.usdoj.gov>, "Toulou, Tracy (OTJ)" <ttoulou@jmd.usdoj.gov>, "Barksdale, Sybil (OVW)" <sbarksdale@jmd.usdoj.gov>, "Creighton, Kelly M (OPA)" <kcreighton@jmd.usdoj.gov>, "Hornbuckle, Wyn (OPA)" <whornbuckle@jmd.usdoj.gov>, "Henry, Maria (PRAO)" <mahenry@jmd.usdoj.gov>, "Ludwig, Stacy (PRAO)" <sludwig@jmd.usdoj.gov>, "Bruffy, Robert (TAX)"
Subject: AAGA Memorandum - Transition Guidance - Requests for Documents and Meetings

Good morning:

Please see the attached document.

Attachment:

AAGA Memorandum - Transition Guidance - Requests for Documents and Meetings
MEMORANDUM FOR HEADS OF COMPONENTS
COMPONENT TRANSITION COORDINATORS

FROM: Lee J. Lofthus
Assistant Attorney General
for Administration

SUBJECT: Transition Guidance – Requests for Documents and Meetings

The White House and President-elect Trump’s Transition Team (PETT) have executed a Memorandum of Understanding (MOU) regarding transition procedures. The purpose of this memorandum is to provide you with additional information about the process that will govern the Department’s contact and interaction with members of the PETT. The PETT has begun announcing the members of its agency review team for the Department and will name additional members in the coming days.

Both the President and the Attorney General have committed to ensuring a smooth and effective transition. Part of this commitment is to work closely and cooperatively with the PETT to provide the information it needs in order to prepare for assuming leadership of the Department.

We will be working closely with the PETT to address any issues that arise during the transition. We have already gathered and compiled a significant amount of information for the PETT, but anticipate requests for documents and oral briefings.

Although much of the information PETT members seek may be publicly available, some of it may not. Non-publicly-available information may be subject to a number of ethical, prudential or legal restrictions that limit or preclude disclosure to non-Department personnel, such as Federal Rule of Criminal Procedure 6(e), applicable privileges, Privacy Act concerns, operational security considerations, or conflict of interest.

We anticipate that during this process, components will be asked directly for information by PETT members. If the document or information is publicly available, you may provide it directly to PETT members. The Justice Management Division is providing Justice Enterprise File Sharing (JEFS) accounts to PETT members to facilitate sharing briefing materials in electronic format. Components may forward such materials to DOJTransition2016@usdoj.gov and they will be added to JEFS. If the information is not publicly available, it should not be placed on JEFS.
In evaluating whether to make a disclosure of non-public information at all, you should consider whether: (1) the information is protected from disclosure by a constitutional, statutory or other legal obligation; (2) the requested information involves White House equities or the equities of another agency such that consultation with appropriate officials outside the Department is necessary; and (3) there is a demonstrated need for access to the requested information prior to January 20, 2017. Such need may relate to the ongoing administrative or management aspects of Department operations, such that providing the information would assist the PETT in maintaining continuity of operations.

Component heads and personnel participating in briefings with the transition team should use their best judgment in determining what information to provide to PETT members. If a disclosure of non-public information is to be made, the MOU provides that you must:

1. Brief the PETT member on the importance of maintaining the constitutional, statutory, and/or common law safeguard afforded to the non-public information.

2. Clearly label the non-public records with a warning against subsequent disclosures to unauthorized individuals, including unauthorized PETT members. The materials should be labeled: “Non-public transition materials – not for unauthorized redisclosure.”

3. Specifically advise PETT members that non-public information provided to them cannot be shared with other PETT members unless those other individuals satisfy the requirements of access required in this memorandum.

4. Ensure the PETT member has signed a statement representing that, to the member’s knowledge, he or she has no financial interest or imputed financial interest that would be directly and predictably affected by a particular matter to which the information is pertinent. This is especially relevant if a non-public disclosure will be made to a PETT member who is a practicing attorney. Attorneys may have conflict of interest considerations for their or their firm’s clients. We will provide periodic updates with the names of the PETT members and their most recent professional affiliation. I am obtaining non-disclosure agreements and conflict of interest statements from PETT members as they come aboard. For your information, attached is the form of agreement PETT members are asked to sign.

5. Where advisable, prohibit the PETT members from removing non-public information from Agency offices.

6. Make a written record of a disclosure of non-public information. Attached is a template log for this purpose. Please forward completed logs to DOJTransition2016@usdoj.gov.
7. For classified information, ensure the PETT member has the necessary security clearance, has signed a requisite non-disclosure agreement to access such material, and has a need to know.

If you or any of your staff members believe that requested information or material should not be provided to the PETT, please communicate that determination to the PETT member(s) participating in the briefing and make me aware of the denied request as soon as possible.

Please feel free to call me if you have a question or concern, or you may direct questions to DOJTransition2016@usdoj.gov. Thanks for your efforts during this time of transition.

Enclosures
President-Elect Trump’s Transition Team Member  
Non-Disclosure Agreement and Conflict of Interest Statement for Access  
To Department of Justice Non-Public Information

1. ___________________________, in exchange for access to certain non-public information for the  
Department of Justice ("Department"), acknowledge and agree to the following:

1. I request non-public information from the Department only as necessary for me to carry out my  
official duties as a member of the President-Elect’s Transition Team (PETT), and I agree to use such non-  
public information from the Department only for PETT-related purposes. This restriction does not  
preclude the use of the same information obtained by me from other sources.

2. I shall protect and safeguard any non-public information that I receive from the Department in  
accordance with the requirements of applicable laws and regulations, as well as the “Memorandum of  
Understanding Regarding Transition Procedures, Identification of Transition Contacts, and Access to  
Non-public Government and Transition Information” between the Chief of Staff to the President and the  
Chair of the PETT, signed November 13, 2016 (the “MOU”).

3. I shall not redisclose to another member of the PETT non-public information received from the  
Department unless the Department employee who initially authorized the disclosure authorizes the  
redisclosure. In such case, I will only redisclose such non-public information if the other PETT member  
has also signed this Non-Disclosure Agreement with the Department and, if applicable, possesses the  
proper security clearance to receive such information.

5. As required by Section 10 of the MOU, as a precondition to access to the Department’s non-  
public information, I represent that, to my knowledge, I have no financial interest or imputed financial  
interest that would be directly and predictably affected by my review and recommendations of a course of  
action based upon receipt of non-public information that I receive from the Department.

6. I will return to the Department or destroy any non-public information disclosed to me upon the  
earlier of my departure from the PETT or January 20, 2017.

7. If I am an attorney, prior to receiving a disclosure of non-public information from the  
Department, I will request to be briefed on the general nature of the information to be disclosed. I will  
only receive a disclosure of non-public information if, to the best of my knowledge, I am satisfied that the  
substance of the matter to be disclosed will not create a conflict of interest under the rules of professional  
responsibility that apply to me. I understand that any such conflict cannot be waived as condition of  
receiving the non-public information.

_________________________________________  ________________________________
Signature                                           Date

_________________________________________________________
Printed Name

Please forward a signed copy to: DOJTransition2016@usdoj.gov.
Department of Justice

Record of Disclosure of Non-Public Information to Authorized Member(s) of the President-Elect’s Transition Team (PETT)

Date of Disclosure: ____________________________________________

Form of Disclosure (Oral/Written): ____________________________________________

General Description of Categories of Non-Public Information Disclosed:
_________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

Name(s) of PETT Member(s) to Whom Non-Public Information was Disclosed:
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

Name(s) and Title(s) of Official(s) Who Authorized Disclosure:
__________________________________________________________________________
__________________________________________________________________________

Name(s) and Title(s) of Official(s) Who Disclosed the Information:
__________________________________________________________________________
__________________________________________________________________________

Summary of Steps Taken to Protect the Non-Public Information from Subsequent Unauthorized Disclosure (see Memorandum from the Assistant Attorney General for Administration, “Transition Guidance – Requests for Documents and Meetings” (Nov. 28, 2016)):
__________________________________________________________________________
__________________________________________________________________________

Record of Disclosure Prepared by: ____________________________________________

Signature: ____________________________________________

Title: ____________________________________________

Date: ____________________________________________

Please forward a signed copy to: DOJTransition2016@usdoj.gov.
Nitin/Karen,
See below.

Joey

-------- Original message --------
From: DOJ Transition 2016 <DOJTransition2016@jmd.usdoj.gov>
Date: 11/22/2016 12:17 PM (GMT-05:00)
To: "Bowers, John J. (CIV)" <jbowers@CIV.USDOJ.GOV>, DOJ Transition 2016 <DOJTransition2016@jmd.usdoj.gov>
Cc: "Emerson, Catherine V. (CIV)" <cemerson@CIV.USDOJ.GOV>
Subject: RE: Civil Division Meeting with Transition Team

John,

Brian Benczkowski (Kirkland & Ellis), Pat Rowan (McGuireWoods), Jesse Liu (Morrison & Foerster), and Ron Tenpas (Morgan, Lewis & Bockius) have signed NDAs and conflict of interest statements. The form of this agreement is attached. JMD will obtain the NDAs as more transition team members are added. I'm also attaching the form of log for non-public disclosures. Lee Loftus’ memo with the guidance is forthcoming this afternoon. Please let us know if you have further questions.

Morty Posner

JMD/OGC

6-1070
The Civil Division is scheduled to meet with the transition team tomorrow afternoon. Is it possible for us to get a copy of the DOJ memorandum and MOU related to the disclosure of nonpublic information as soon as possible, as well as a copy of the terms of the nondisclosure agreements signed by the transition team members? It would be nice to review this information prior to our meeting.

Thank you for all of your help.

Joey Bowers

Civil Division

U.S. Department of Justice

(202) 507-6053
President-Elect Trump’s Transition Team Member
Non-Disclosure Agreement and Conflict of Interest Statement for Access
To Department of Justice Non-Public Information

I. _________________, in exchange for access to certain non-public information for the
Department of Justice ("Department"), acknowledge and agree to the following:

1. I request non-public information from the Department only as necessary for me to carry out my
official duties as a member of the President-Elect’s Transition Team (PETT), and I agree to use such non-
public information from the Department only for PETT-related purposes. This restriction does not
preclude the use of the same information obtained by me from other sources.

2. I shall protect and safeguard any non-public information that I receive from the Department in
accordance with the requirements of applicable laws and regulations, as well as the “Memorandum of
Understanding Regarding Transition Procedures, Identification of Transition Contacts, and Access to Non-
public Government and Transition Information” between the Chief of Staff to the President and the Chair
of the PETT, signed November 13, 2016 (the “MOU”).

3. I shall not redisclose to another member of the PETT non-public information received from the
Department unless the Department employee who initially authorized the disclosure authorizes the
redisclosure. In such case, I will only redisclose such non-public information if the other PETT member
has also signed this Non-Disclosure Agreement with the Department and, if applicable, possesses the
proper security clearance to receive such information.

5. As required by Section 10 of the MOU, as a precondition to access to the Department’s non-
public information, I represent that, to my knowledge, I have no financial interest or imputed financial
interest that would be directly and predictably affected by my review and recommendations of a course of
action based upon receipt of non-public information that I receive from the Department.

6. I will return to the Department or destroy any non-public information disclosed to me upon the
earlier of my departure from the PETT or January 20, 2017.

7. If I am an attorney, prior to receiving a disclosure of non-public information from the
Department, I will request to be briefed on the general nature of the information to be disclosed. I will
only receive a disclosure of non-public information if, to the best of my knowledge, I am satisfied that the
substance of the matter to be disclosed will not create a conflict of interest under the rules of professional
responsibility that apply to me. I understand that any such conflict cannot be waived as condition of
receiving the non-public information.

_________________________________       __________________________
Signature                                      Date

________________________________________
Printed Name

Please forward a signed copy to: DOJTransition2016@usdoj.gov.
Department of Justice

Record of Disclosure of Non-Public Information to Authorized Member(s) of the President-Elect’s Transition Team (PETT)

Date of Disclosure: _____________________________________________________________

Form of Disclosure (Oral/Written): _______________________________________________

General Description of Categories of Non-Public Information Disclosed:
_________________________________________________________________________
_________________________________________________________________________

Name(s) of PETT Member(s) to Whom Non-Public Information was Disclosed:
_________________________________________________________________________
_________________________________________________________________________

Name(s) and Title(s) of Official(s) Who Authorized Disclosure:
_________________________________________________________________________

Name(s) and Title(s) of Official(s) Who Disclosed the Information:
_________________________________________________________________________

Summary of Steps Taken to Protect the Non-Public Information from Subsequent Unauthorized Disclosure (see Memorandum from the Assistant Attorney General for Administration, “Transition Guidance – Requests for Documents and Meetings” (Nov. 17, 2016)):
_________________________________________________________________________
_________________________________________________________________________

Record of Disclosure Prepared by: _________________________________________

Signature: ________________________________

Title: ________________________________

Date: ________________________________

Please forward a signed copy to: DOJTransition2016@usdoj.gov.
-------- Original message --------

From: "Stanton, Allison (CIV)" <AStanton@civ.usdoj.gov>

Date: 11/2/16 8:59 PM (GMT-05:00)

To: "Shah, Nitin (CIV)" <nshah@CIV.USDOJ.GOV>, "Bloom, Karen S. (CIV)" <kbloom@civ.usdoj.gov>


Great. Thanks!

-------- Original message --------

From: "Shah, Nitin (CIV)" <nshah@CIV.USDOJ.GOV>

Date: 11/2/16 2:01 PM (GMT-05:00)

To: "Bloom, Karen S. (CIV)" <kbloom@civ.usdoj.gov>, "Stanton, Allison (CIV)" <AStanton@civ.usdoj.gov>


From: Emerson, Catherine V. (CIV)

Sent: Wednesday, November 02, 2016 2:00 PM

To: Shah, Nitin (CIV) <nshah@CIV.USDOJ.GOV>

Cc: Bowers, John J. (CIV) <b>;<b>(b)(6)<b>;<b>Cutitta, Irene (CIV) <b>;<b>(b)(6)<b>;


Importance: High

FYI.
Good afternoon,

Please see the attached memo and presidential transition guide from OPM.

Thank you,

Kamaron P. Kellum-Cloman

Acting Director, Human Resources

U.S. Department of Justice

(202) 514-0143
Good evening CHCOs, Dep. CHCOs and HR Directors:

Attached please find a memorandum regarding OPM’s issuance of the 2016 Presidential Transition Guide. **Please note:** this version of the guide replaces the PDF version you received on September 16, 2016.

For the benefit of visually-impaired readers, a 508-compliant version of this memorandum and guide are available online at:

https://www.chcoc.gov/content/2016-presidential-transition-guide-0

All the best,

Octavio J. Santiago

Communications Coordinator, Employee Services

U.S. Office of Personnel Management
Good afternoon:

Please see the attached document.

Attachment:

AAGA Memorandum - Transition Guidance - Firms Affiliations. Avoiding Attorney Conflict of Interest
MEMORANDUM FOR HEADS OF COMPONENTS
ALL COMPONENT TRANSITION COORDINATORS

FROM: Lee J. Lofthus
Assistant Attorney General
for Administration

RE: Transition Guidance – Firm Affiliations/Avoiding Attorney Conflict of Interest

Most of the members of the President-elect’s Transition Team (PETT) for the Department are practicing attorneys. Each of the PETT members has signed a non-disclosure agreement (NDA) with the Department. The NDA provides that prior to receiving a disclosure of non-public information, attorneys on the PETT will ask to be briefed generally on the subject matter of the disclosure. This proffer will assist the attorney to evaluate whether the non-public information should not be disclosed to the attorney due to a client conflict.

We can better assist these attorneys if we identify matters in advance in which there may be a conflict with one of their law firms or employers. Attached is a list of current or most recent employers of these attorneys. As you prepare for meetings with PETT members, please be aware of whether your component has matters involving these entities. If your component anticipates it may have a need to make a non-public disclosure to the PETT about such a matter, please notify me first. We will then approach the PETT so that it can assign a member without a conflict to discuss that matter with your component.

We will distribute periodic updates of this list of legal employers as the PETT brings on additional members. As always, if you have questions, please contact me or send your questions to DOJTransition2016@usdoj.gov.

Attachment
Current or Most Recent Employer of the President-elect’s Transition Team Members for the Department of Justice Who Are Attorneys

<table>
<thead>
<tr>
<th>Name</th>
<th>Employer (current or most recent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brian A. Benczkowski (team lead)</td>
<td>Kirkland &amp; Ellis LLP</td>
</tr>
<tr>
<td>Zina Bash</td>
<td>Doctors’ Hospital at Renaissance</td>
</tr>
<tr>
<td>James Burnham</td>
<td>Jones Day</td>
</tr>
<tr>
<td>Stefani Carter</td>
<td>Stefani Carter &amp; Associates, LLC</td>
</tr>
<tr>
<td>Steven Engel</td>
<td>Dechert LLP</td>
</tr>
<tr>
<td>Lizette Benedi Herraiz</td>
<td>Strayer University</td>
</tr>
<tr>
<td>David Higbee</td>
<td>Hunton &amp; Williams LLP</td>
</tr>
<tr>
<td>Greg Katsas</td>
<td>Jones Day</td>
</tr>
<tr>
<td>Jesse K. Liu</td>
<td>Morrison &amp; Foerster LLP</td>
</tr>
<tr>
<td>J. Patrick Rowan</td>
<td>McGuireWoods LLP</td>
</tr>
<tr>
<td>Ronald Tenpas</td>
<td>Morgan, Lewis &amp; Bockius LLP</td>
</tr>
<tr>
<td>Thomas Wheeler</td>
<td>Forest Brown Todd, LLC</td>
</tr>
</tbody>
</table>
Another email, including a template to log disclosure of non-public information.

Joey

From: DOJ Transition 2016
Sent: Tuesday, November 22, 2016 12:20 PM
To: DOJ Transition 2016 <DOJTransition2016@jmd.usdoj.gov>; Bowers, John J. (CIV) <b(6)>
Cc: Emerson, Catherine V. (CIV) <cemerson@CIV.USDOJ.GOV>
Subject: RE: Civil Division Meeting with Transition Team

Sorry, this is the log.

From: DOJ Transition 2016
Sent: Tuesday, November 22, 2016 12:17 PM
To: Bowers, John J. (CIV); DOJ Transition 2016
Cc: Emerson, Catherine V. (CIV)
Subject: RE: Civil Division Meeting with Transition Team

John,

Brian Benczkowski (Kirkland & Ellis), Pat Rowan (McGuireWoods), Jesse Liu (Morrison & Foerster), and Ron Tenpas (Morgan, Lewis & Bockius) have signed NDAs and conflict of interest statements. The form of this agreement is attached. JMD will obtain the NDAs as more transition team members are added. I’m also attaching the form of log for non-public disclosures. Lee Lofthus’ memo with the guidance is forthcoming this afternoon. Please let us know if you have further questions.

Morty Posner

JMD/OGC

6-1070

From: Bowers, John J. (CIV)
Sent: Monday, November 21, 2016 6:06 PM
To: DOJ Transition 2016
Cc: Emerson, Catherine V. (CIV)
Subject: Civil Division Meeting with Transition Team

The Civil Division is scheduled to meet with the transition team tomorrow afternoon. Is it possible for us to get a copy of the DOJ memorandum and MOU related to the disclosure of nonpublic information as soon as possible, as well as a copy of the terms of the nondisclosure agreements signed by the transition team members? It would be nice to review this information prior to our meeting.

Thank you for all of your help.

Joey Bowers
To: Shah, Nitin (CIV)<nshah@CIV.USDOJ.GOV>
Cc: Emerson, Catherine V. (CIV)<cemerson@CIV.USDOJ.GOV>
From: Bloom, Karen S. (CIV)
Sent: Wed 11/30/2016 9:23:52 PM
Importance: Normal
Subject: RE: AAGA Memorandum - Transition Guidance - Firms Affiliations. Avoiding Attorney Conflict of Interest
Received: Wed 11/30/2016 9:23:00 PM

Thx!

Cathy – Can you pls have me added to this distribution list so Nitin doesn’t have to forward these materials.

From: Shah, Nitin (CIV)
Sent: Wednesday, November 30, 2016 4:22 PM
To: Bloom, Karen S. (CIV)<kbloom@CIV.USDOJ.gov>
Subject: Fwd: AAGA Memorandum - Transition Guidance - Firms Affiliations. Avoiding Attorney Conflict of Interest

Date: 11/30/16 3:55 PM (GMT-05:00)

To: "Heads of Department Components (JMD)"<HeadsofDepartmentComponents@jmd.usdoj.gov>, "Foster, Lisa (A2J)"<lfoster@jmd.usdoj.gov>, "Jweied, Maha (A2J)"<mjweied@jmd.usdoj.gov>, "Lash, Karen (A2J)"<klash@jmd.usdoj.gov>, "Stephan,P."<Mathews@usdoj.gov>, "Bennett, Megan A. (ATF)"<Megan_A_Bennett@usdoj.gov>, "Vidoli, Marino F. (ATF)"<Marino_F.Vidoli@usdoj.gov>, "Cohen, Scott (ATR)"<Scott.Cohen@ATR.USDOJ.GOV>, "Gavin, Mark"<Mark.Gavin@ATR.USDOJ.GOV>, "Clayton, Marla (BOP)"<Marla.Clayton@usdoj.gov>, "Gross, Bradley T (BOP)"<Bradley.T.Gross@usdoj.gov>, "Emerson, Catherine V. (CIV)"<cemerson@CIV.USDOJ.GOV>, "Henry, Wayne (COPS)"<whenry@cops.usdoj.gov>, "McQuay, Katherine (COPS)"<kmcquay@cops.usdoj.gov>, "Bass, Stacie"<Stacie.Bass@CRM.USDOJ.GOV>, "Melton, Tracy"<Tracy.Melton@CRM.USDOJ.GOV>, "Robinson, DurShawn E (CRS)"<DurShawn.Robinson@CRS.USDOJ.GOV>, "Howe, Suesy (CRT)"<Susan.Howe@crt.usdoj.gov>, "Wong, Gary (CRT)"<Gary.Wong@crt.usdoj.gov>, "Horn, Brian G. (DEA)"<Brian_G.Horn@usdoj.gov>, "Sutton, Jeffrey W (DEA)"<Jeffrey_W.Sutton@usdoj.gov>, "Collier, Andrew (ENRD)"<ACollier@ENRD.USDOJ.GOV>, "McCarthy, Margaret (ENRD)"<MMcCarthy@ENRD.USDOJ.GOV>, "Shechey, Kate (EOIR)"<Kate.Shechey@EOIR.USDOJ.GOV>, "Flinn, Shawn (USAEO)"<Shawn.Flinn@usdoj.gov>, "Catapano, Debbie (USTP)"<Debbie.Catapano@UST.DOJ.GOV>, "LaFrancois, Jeremy R (FCSC)"<Jrlafrancois@jmd.usdoj.gov>, "Simkin, Brian (FCSC)"<briansimkin@jmd.usdoj.gov>, "Carter, Cyntoria (JMD)"<ycarter@jmd.usdoj.gov>, "Jenkins, Mark A (NSD)"<mjenkins@jmd.usdoj.gov>, "Elias, John (OAG)"<jelias@jmd.usdoj.gov>, "Schreiber, Jayne (OAG)"<jschreiber@jmd.usdoj.gov>, "Alston, Rae N (OARM)"<ralston@jmd.usdoj.gov>, "Maxey, Peter (OCDETF)"<pmaxey@jmd.usdoj.gov>, "Padden, Thomas (OCDETF)"<tpadden@jmd.usdoj.gov>, "Bruck, Andrew J. (ODAG)"<ajbruck@jmd.usdoj.gov>, "Powell, Selena Y (ODAG)"<spowell@jmd.usdoj.gov>, "Peters, Gregory T. (OIG)"<Greg_T.Peters@usdoj.gov>, "Mallon, Carmen L (OIP)"<cmallon@jmd.usdoj.gov>, "Henneberg, Maureen"<Maureen.Henneberg@oip.usdoj.gov>, "Merkle, Phillip"<Phillip.Merkle@oip.usdoj.gov>, "Callier, Saudra M (OLA)"<s.callier@jmd.usdoj.gov>, "Goldberg, Daniel L. (OLA)"<dgoldberg@jmd.usdoj.gov>, "Thompson, Karl (OLC)"<kthompson@jmd.usdoj.gov>, "Matthews, Martina (OLP)"<mmmatthews@jmd.usdoj.gov>, "Taylor, Will (OPATTY)"<wtaylor@jmd.usdoj.gov>, "LaPoint, Jennifer (OPR)"<Jennifer.LaPoint@opr.usdoj.gov>, "Collyer, Keith A. (OSG)"<kcollyer@jmd.usdoj.gov>, "Yancey, Valerie Libby (OSG)"<vyancey@jmd.usdoj.gov>, "Jacobs, Jeanne H.(OTJ)"<jjacobs@jmd.usdoj.gov>, "Toulou, Tracy (OTJ)"
Good afternoon:

Please see the attached document.

Attachment:

AAGA Memorandum - Transition Guidance - Firms Affiliations. Avoiding Attorney Conflict of Interest
MEMORANDUM FOR HEADS OF COMPONENTS
ALL COMPONENT TRANSITION COORDINATORS

FROM: Lee J. Lofthus
Assistant Attorney General for Administration

RE: Transition Guidance – Firm Affiliations/Avoiding Attorney Conflict of Interest

Most of the members of the President-elect’s Transition Team (PETT) for the Department are practicing attorneys. Each of the PETT members has signed a non-disclosure agreement (NDA) with the Department. The NDA provides that prior to receiving a disclosure of non-public information, attorneys on the PETT will ask to be briefed generally on the subject matter of the disclosure. This proffer will assist the attorney to evaluate whether the non-public information should not be disclosed to the attorney due to a client conflict.

We can better assist these attorneys if we identify matters in advance in which there may be a conflict with one of their law firms or employers. Attached is a list of current or most recent employers of these attorneys. As you prepare for meetings with PETT members, please be aware of whether your component has matters involving these entities. If your component anticipates it may have a need to make a non-public disclosure to the PETT about such a matter, please notify me first. We will then approach the PETT so that it can assign a member without a conflict to discuss that matter with your component.

We will distribute periodic updates of this list of legal employers as the PETT brings on additional members. As always, if you have questions, please contact me or send your questions to DOJTransition2016@usdoj.gov.

Attachment
Current or Most Recent Employer of the President-elect's Transition Team Members for the Department of Justice Who Are Attorneys

<table>
<thead>
<tr>
<th>Name</th>
<th>Employer (current or most recent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brian A. Benczkowski (team lead)</td>
<td>Kirkland &amp; Ellis LLP</td>
</tr>
<tr>
<td>Zina Bash</td>
<td>Doctors' Hospital at Renaissance</td>
</tr>
<tr>
<td>James Burnham</td>
<td>Jones Day</td>
</tr>
<tr>
<td>Stefani Carter</td>
<td>Stefani Carter &amp; Associates, LLC</td>
</tr>
<tr>
<td>Steven Engel</td>
<td>Dechert LLP</td>
</tr>
<tr>
<td>Lizette Benedi Herraiz</td>
<td>Strayer University</td>
</tr>
<tr>
<td>David Higbee</td>
<td>Hunton &amp; Williams LLP</td>
</tr>
<tr>
<td>Greg Katsas</td>
<td>Jones Day</td>
</tr>
<tr>
<td>Jesse K. Liu</td>
<td>Morrison &amp; Foerster LLP</td>
</tr>
<tr>
<td>J. Patrick Rowan</td>
<td>McGuireWoods LLP</td>
</tr>
<tr>
<td>Ronald Tenpas</td>
<td>Morgan, Lewis &amp; Bockius LLP</td>
</tr>
<tr>
<td>Thomas Wheeler</td>
<td>Forest Brown Todd, LLC</td>
</tr>
</tbody>
</table>