



Maricopa County Attorney

ANDREW P. THOMAS

301 W. JEFFERSON, SUITE 800
PHOENIX, AZ 85003
www.maricopacountyattorney.org

PH (602) 506-3411
TDD (602) 506-4352
FAX (602) 506-8102

June 16, 2008

VIA HAND DELIVERY

Sally Scott, Conservator
State Bar of Arizona
4201 N. 24th Street, Suite 200
Phoenix, Arizona 85016-6288

Dear Ms. Scott:

This letter is to request that you, as Custodian of Records for the State Bar of Arizona, make available for inspection certain records. If you are not the Custodian of Records, please forward this request to the appropriate person and inform me of the identity of the proper Custodian of Records. This request is made pursuant to Rule 123 of the Arizona Rules of the Supreme Court. Rule 123 applies to the State Bar of Arizona pursuant to Rule 32(a)(1) of the Arizona Rules of the Supreme Court.

In the event that any records requested are "closed" or not available for inspection, it is your duty to provide me with a privilege log indicating the reason for the records being "closed", inclusive of a reference to any statute, case, rule or administrative order upon which reliance was placed.

To the extent that any records I have requested contain public information that would otherwise be closed, pursuant to Rule 123(c)(2)(c), it is your duty to redact all confidential information from the record unless release of the entire record is prohibited by law. Moreover, it is your duty to provide to me with a disclosure that the records were redacted, inclusive of a description of the nature and length of the matters contained therein. I also request the legal authority for any and all redactions.

The following records are hereby requested:

Any and all written communications and/or electronic communications, including but not limited to letters, notes, emails, or records reflecting phone messages, between any bar counsel, including but not limited to Robert Van Wyck, and any other person, from October 1, 2007 to June 16, 2008, which discuss or relate to statements, actions or Bar investigations of Maricopa County Attorney Andrew Thomas, Special Assistant County Attorney Barnett Lotstein, attorney John MacIntyre of the Maricopa County Sheriff's Office, Dennis Wilenchik, Proposition 100 or criticism of judges or the judiciary.

Pursuant to Rule 123, and given the litigation currently pending before the Arizona Supreme Court, I anticipate receiving your response to my request by June 27, 2008. However, if you determine that my request cannot be granted by June 27, 2008, I expect your written explanation of the nature of the delay or the reason for denying my request, including, if applicable, the specific federal, state or other statute, law, court or administrative order or rule that is the basis of that delay or denial by the same date. Should you have any questions about my request, I can be reached at (602) 506-3170. Thank you in advance for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Anthony Scerbo". The signature is fluid and cursive, written over a white background.

Mike Anthony Scerbo
Public Information Officer
Maricopa County Attorney's Office

cc: Daniel McAuliffe, Robert Van Wyck