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September 10, 2008

The Honorable Dale S. Fischer, U.S. District Judge
Roybal Federal Courthouse
255 East Temple Street
Los Angeles, California 90012

Re: *United States v. Pellicano*

Dear Judge Fischer:

Sometime during the middle of the first trial of *United States v. Pellicano* I received a call from an FBI agent who asked me to come down to the United States courthouse on a weekend and listen to a tape recording. As I listened, I heard a conversation unfold between Mr. Kenneth Starr, who I had sued several years ago, and Mr. Anthony Pellicano, where Mr. Pellicano was disclosing to Mr. Starr numerous things that I had previously discussed with my clients in what I had thought was privileged, private conversations.

I cannot describe for you how outraged, shocked, disgusted and depressed I was to hear my case strategy being discussed. In law school, when you learn about the so-called sacred principles of justice and practicing law, particularly the attorney-client privilege, you believe it is outside the realm of possibility that you might be wiretapped by your adversary while you are discussing strategy with your client. Unfortunately, that is not how things are. I have been in practice and involved in bitter complex civil litigation for 42 years, and I have seen an awful lot of ugly things during that time, but I have never seen, nor expected to see, such an outrage abomination of the justice system as I heard unfold for me that Sunday. Is justice for sale to the highest bidder?

During the very time I was sitting on the stand and testifying during the trial, listening again to my confidential litigation strategy being discussed by Mr. Pellicano and the person I had sued, I could not help but wonder how much of this goes on; how pervasive is it? Perhaps after having sat through months of similar testimony and two trials of this kind of abomination, you, too, have become hardened to how outrageous what happened to me and others truly is. It must never happen again.

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I hope you will take the above into account when determining an appropriate sentence for those responsible.

Respectfully submitted,

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