

49

From: "Cullen, Richard" rcullen@mcguirewoods.com [Howard Kohr's attorney]

To: nat@lewinlewin.com [AIPAC's attorney]

Sent: Fri, 18 Feb 2005 17:49:27 -0500

Subject: RE: Conference call on next steps

We should have no more joint meetings to plan strategy with Abbe [Rosen's attorney] at least and until AIPAC reverses itself and concludes there should not be a separation between Abbe's clients and AIPAC. It is disingenuous to call McNulty [U.S. Attorney for the Eastern District of Virginia] and say there is now separation and immediately to Abbe's to meet. I welcome Abbe's views, but a joint meeting as the next step is wrong for AIPAC and my individual clients. **Phil [Friedman, AIPAC's General Counsel] you have, in my view, misstated what the board did today, implying that its action was in some way conditioned on the Gov't giving us more evidence.** The three of us must get on the same page if this is going to work.

From: "psf" psf@consumerlawhelp.com [Philip Friedman, AIPAC's General Counsel]

To: "Cullen, Richard" rcullen@mcguirewoods.com [Howard Kohr's attorney]

Sent: 19 Feb 2005 00Subject: ...

I could not disagree more. We have not ended our joint defense, nor have we cut Steve and Kieth loose.... It is clear to me that the advisory committee in particular and the Board as well, quite reluctantly, **agreed to take a step in the direction of the government, in the hope that the government would reciprocate in some fashion that would enable us to make additional, but informed decisions.** Placing Kieth and Steve on leave, and obtaining separate counsel for Kieth are two significant concessions. The Board agreed to place Kieth and Steve on leave, not separate or eliminate conversation with their attorney. That is a step we may want to consider later but it is way too premature to take that step now.Indeed, Nat [AIPAC's attorney] was quite direct in telling McNulty [U.S. Attorney for the Eastern District of Virginia] that, at least initially, we planned to share everything we learned with Abbe. [Rosen's attorney]...

From: nat@lewinlewin.com [AIPAC's attorney]

Sent: Saturday, February 19, 2005

To: Cullen, Richard [Howard Kohr's attorney]

... so long as we have not represented to the government that our joint defense is over, we are free to meet and discuss the next steps. I think that Phil [Friedman, AIPAC's General Counsel] fairly described the sentiment of both the Advisory Committee and the Board in this respect. **There was very vocal sentiment against taking even the first step of removing Steve and Keith from their offices, but a majority favored that action to demonstrate to McNulty [U.S. Attorney for the Eastern District of Virginia] that we are serious and want him now to take the next step.**

From: Cullen, Richard [mailto:rcullen@mcguirewoods.com] [Howard Kohr's attorney]

Sent: Saturday, February 19, 2005 9:51 AM

To: Lowell, Abbe David [Rosen's attorney]

... My goal remains the same here: no indictments. I have a view how we have the best chance to get there... Recall that **on the first call I listed some probable demands the gov't may make and I know from experience they will not want the rest of us strategizing with you.** ...

From: Lowell, Abbe David [Rosen's attorney]

Sent: Saturday, February 19, 2005 11:29 AM

To: 'psf@consumerlawhelp.com' [Philip Friedman, AIPAC's General Counsel]

Subject: RE: RE: Conference call on next steps Thanks for getting back so soon. This really is disturbing, no kidding, that he is mouthing a further degree of separation unwarranted by any new fact. good strategy and completely opposite of the tone and tenor of what you said the

000331

AIPAC decision was. Steve and Keith would be very upset and I am not going to tell them this unless this is the way you all proceed. Phil [Philip Friedman, AIPAC's General Counsel], again, AIPAC is not a target. In reality, it has no business being the next folks up to talk with [Howard Kohr's attorney] et al again. We have that need (and right). His (and Nat's [AIPAC's attorney]) stated goal of no indictments is commendable and right, but the targets are the ones who get indicted and no one has their interests in mind more and better than their attorneys. I disagree that a parens patriae approach (Nat [AIPAC's attorney] can articulate their innocence and reasons for no indictment better than their attorneys) is a better one. Indeed, with what Richard [Howard Kohr's attorney] is writing I am even more sure that a meeting between AIPAC and EdVa is for the purpose of the EdVa [office of U.S. Attorney for the Eastern District of Virginia] seeking further separation so that ultimately the resolution that gets the EdVa [office of U.S. Attorney for the Eastern District of Virginia] out of the corner is action against Steve and/or Keith once AIPAC has distanced itself from them. That is Richard's [Howard Kohr's attorney] strategy as well (adopting wholesale the EdVa [office of U.S. Attorney for the Eastern District of Virginia]). Richard's [Howard Kohr's attorney] point of view is so jaded by his pro-EdVa [office of U.S. Attorney for the Eastern District of Virginia] views and so not that of a defense attorney that it is deeply disturbing. I actually do not see a whole lot of time that we should not all be meeting together. Separate meetings are an invitation for mayhem. It would not be good for Keith's attorney and me to go off on our own.

“On March 18, 2005, the United States Attorney [for the Eastern District of Virginia] told counsel for AIPAC's Executive Director [Richard Cullen], and an Assistant U.S. Attorney [probably Kevin DiGregory head of the Criminal Division for the Eastern District of Virginia] later confirmed to Dr. Rosen's counsel, that AIPAC needed to fire Dr. Rosen and Mr. Weissman....Just one business day later, on March 21, 2005, AIPAC fired Dr. Rosen and Mr. Weissman.” Defendant's July 18, 2006 motion, based on affidavits by attorneys Abbe Lowell [Rosen's attorney], John Nassikas [Weissman's attorney], and Laura Lester [another Weissman attorney].

From: Nathan Lewin [mailto:nat@lewinlewin.com] [AIPAC's attorney]
Sent: Tuesday, March 22, 2005 6:25 PM
To: 'Campbell, Julie' [another Rosen attorney]; 'Philip Scott Friedman' [Philip Friedman, AIPAC's General Counsel]; 'Nat Lewin (nat@lewinlewin.com)' [AIPAC's attorney]
Cc: 'Lowell, Abbe David' [Rosen's attorney]; 'Howard Kohr'; RFishman@aipac.org [Howard's Deputy Executive Director]; 'Cullen, Richard' [Howard Kohr's attorney]; 'Alyza Lewin' [another AIPAC attorney]
Subject: RE: DiGregory [deputy U.S. Attorney for the Eastern District of Virginia] meeting -- ATTORNEY-CLIENT COMMUNICATION

Richard Cullen [Howard Kohr's attorney] **and I left a voice-mail with McNulty** [U.S. Attorney for the Eastern District of Virginia] **and spoke with DiGregory** [deputy U.S. Attorney for the Eastern District of Virginia] **to report about the personnel action that AIPAC has taken. DiGregory** [deputy U.S. Attorney for the Eastern District of Virginia] **asked whether the individuals had been informed, and we said yes.** We were not asked any additional details. **We also reported that the Joint Defense Agreement would be terminated when Nassikas** [Weissman's attorney] **returns. DiGregory** [deputy U.S. Attorney for the Eastern District of Virginia] **asked about counsel fees, and we told him that we are continuing to pay counsel fees.** We said that this was true regardless of whether there was a contractual commitment, and I said I just did not know whether there was, in fact, a contractual commitment. We said in the voice-mail and in the conversation that we want a meeting with McNulty [U.S. Attorney for the Eastern District of Virginia] and DiGregory [deputy U.S. Attorney for the Eastern District of Virginia], and I think that will be set up.

Date: 3/25/2005 5:34:31 PM Eastern Standard Time
From: ADLowell@chadbourne.com [Rosen's attorney]
To: Rosen20817@aol.com. JCambell@chadbourne.com [another Rosen attorney]:

000332