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A LIMITED LIABILITY PARTNERSHIP

WASHINGTON, D.C. | LOS ANGELES

June 10, 2016

VIA Electronic Mail

**b(6) and b(7)(C)** Esq.  
U.S. Department of Justice  
National Security Division  
950 Pennsylvania Avenue NW  
Washington, DC 20530  
**b(6) and b(7)(C)**@usdoj.gov

Dear **b(6), b(7)(C)**

This letter provides consent, in connection with the Department of Justice's investigation into the use of a private server by former Secretary of State Hillary Clinton, to search the Lenovo Yoga 2 Pro (Serial No. **b(6), b(7)(C)**) (hereinafter "the Device") belonging to my client, Heather Samuelson, who is Secretary Clinton's attorney, pursuant to the terms described below. The Device is being provided to the Federal Bureau of Investigation ("FBI") solely for the purposes of this Department of Justice investigation, and for the Department's use in connection with the investigation. In voluntarily providing the Device, Heather Samuelson does not relinquish ownership or control over the Device, except for the FBI's limited investigative use as specified by this agreement. The FBI does not assert custody and control over the Device or its contents for any other purpose, including any requests made pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

- 1) You have confirmed that the sole purposes of the search are: (1) to search for any .pst files, or .ost files, or compressed files containing .pst or .ost files, that were created by Platte River Networks ("PRN"), after June 1, 2014 and before February 1, 2015, in response to requests for former Secretary Clinton's e-mail from her tenure as Secretary of State, (hereinafter the "PRN Files"), including in an intact but deleted form; (2) to attempt to identify any e-mails from, or remnants of, the PRN Files that could potentially be present on the Device; (3) to identify any e-mails resident on the Device sent to or received from the following e-mail accounts: hdr22@clintonemail.com; hrod17@clintonemail.com; hr15@att.blackberry.net; and hr15@mycingular.blackberry.net (hereinafter the "Relevant Accounts"), for the period

of January 21, 2009 through February 1, 2013 (hereinafter the “Relevant Period”); and (4) to conduct a forensic analysis of the device to determine whether the Device was subject to intrusions or otherwise compromised.

- 2) You have confirmed that Phase One of your search will proceed as follows:
  - a. Your Technical Team (to include FBI technical personnel only), will review the allocated space (*i.e.*, active files) of the Device to search only for the PRN Files. Neither the Technical Team nor anyone else will review during Phase One the content of any .pst files, or .ost files, or compressed files containing .pst or .ost files that can be identified as created before June 1, 2014 or after January 31, 2015.
  - b. The Technical Team will review any files identified pursuant to subsection 2(a) above to determine whether they contain e-mails sent to or received from the Relevant Accounts during the Relevant Period. The files that do not include such e-mails will not be subject to any further review by anyone for any purpose, unless they meet the criteria identified in Phase Two or for purposes of an intrusion analysis, both set forth below.
  - c. The PRN Files that include e-mails sent to, or received by, the Relevant Accounts during the Relevant Period will be provided to a Filter Team, which will be limited to two attorneys, one FBI agent, and one FBI analyst, none of whom are members of the investigative team.<sup>1</sup>
  - d. The Filter Team will review the contents of any file they receive from the process described in subsection 2(c) to identify and remove: (1) any privileged material; and (2) any material they can determine is not an e-mail sent to, or received by, the Relevant Accounts during the Relevant Period.
  - e. You will notify us of the results of Phase One of the search before proceeding to Phase Two of the search.
  - f. You will proceed to Phase Two of your search only in the event that the PRN File containing approximately 62,000 emails from the former Secretary’s clintonemail.com account is not identified in the allocated space of the Device.
  
- 3) You have confirmed that Phase Two of your search will proceed as follows:
  - a. The Technical Team will search the Device, including the Device’s unallocated space, to identify any e-mails, fragments of e-mails, files, or fragments of files: (1) that include e-mails sent to, or received by, the e-mail addresses hdr22@clintonemail.com and hrod17@clintonemail.com during the Relevant Period or for which the date that the e-mail was sent or received cannot be determined; and (2) that include e-mails sent to, or received by, the e-mail addresses hr15@att.blackberry.net and hr15@mycingular.blackberry.net that

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<sup>1</sup> Should there be an extremely large volume of materials located on the Device and provided to the Filter Team, we understand that the Department of Justice reserves the right to expand the number of Filter Team members in order to avoid significant delay in the review process. If such an expansion were necessary, the Department of Justice has agreed to inform us of this change.

can clearly be identified as having been sent to, or received by, those accounts during the Relevant Period.<sup>2</sup> Aside from the intrusion analysis described below, neither the Technical Team nor anyone else will search or review the Device for any other material or for any other purpose.

- b. The Technical Team will review the results of the foregoing searches for the purpose of removing any file or data that is not an e-mail or a fragment of an e-mail sent to, or received by, the Relevant Accounts during the Relevant Period. Aside from the intrusion analysis described below, such material will not be further reviewed by the Technical Team or anyone else for any other purpose.
  - c. The remaining results of the search will be provided to the Filter Team, which will review those results to identify and remove: (1) any privileged material; (2) any material that, upon further review, is determined not to be an e-mail sent to, or received by, the Relevant Accounts during the Relevant Period; and (3) any material that, upon further review, is determined not to be a work-related e-mail sent to, or received by, the e-mail account hrod17@clintonemail.com. Aside from the intrusion analysis described below, such material will not be further reviewed by anyone for any purpose.
- 4) You have confirmed that you will also conduct a forensic analysis of the Device to determine whether the Device was subject to intrusions or otherwise compromised, without reviewing the content of any user created files, including .doc, .xls, .pdf, .jpeg, or e-mails not captured in the aforementioned searches.

As soon as the investigation is completed, and to the extent consistent with all FBI policies and applicable laws, including the Federal Records Act, the FBI will dispose of the Device and any printed or electronic materials resulting from your search. No part of this letter shall be read to imply the consent to retrieve from the Device any data other than the data described above or to conduct any search or review in any manner other than as described above.

Sincerely,



Beth A. Wilkinson

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<sup>2</sup> If a large volume of e-mails from the hr15@att.blackberry.net and hr15@mycingular.blackberry.net accounts -- for which a send or receive date cannot clearly be determined -- are located, we understand that the Department of Justice reserves the right to discuss further with counsel any additional search efforts that could be undertaken to assess whether such e-mails were sent or received during the Relevant Period. The Department of Justice will not undertake any such search without prior discussions with counsel and an agreement with counsel as to the scope of, and procedures to be used during, that additional search.



U.S. Department of Justice

National Security Division

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Washington, D.C. 20530

June 10, 2016

Beth A. Wilkinson, Esq.  
1900 M Street, NW  
Suite 800  
Washington, DC 20036

Dear Ms. Wilkinson,

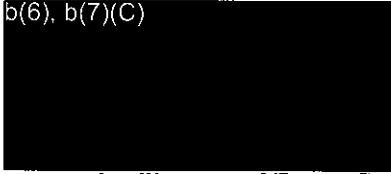
We understand that your client, Heather Samuelson, who is an attorney for former Secretary of State Hillary Clinton, owns a laptop computer, a Lenovo Yoga 2 Pro (Serial No. **b(6), b(7)(C)**) ("the Samuelson Laptop"), which potentially contains information relating to a matter under investigation by the United States Department of Justice. As we have advised you, we consider Heather Samuelson to be a witness based on the information gathered to date in this investigation. We understand that Heather Samuelson is willing to voluntarily provide the Samuelson Laptop to the Federal Bureau of Investigation, if the United States agrees not to use any information directly obtained from the Samuelson Laptop in any prosecution of Heather Samuelson for the mishandling of classified information and/or the removal or destruction of records as described below. To that end, it is hereby agreed as follows:

1. That, subject to the terms of consent set forth in a separate letter to the Department of Justice dated June 10, 2016, Heather Samuelson will voluntarily produce the Samuelson Laptop to the Federal Bureau of Investigation for its review and analysis.
2. That no information directly obtained from the Samuelson Laptop will be used against your client in any prosecution under 18 U.S.C. § 793(e) and/or (f); 18 U.S.C. § 1924; and/or 18 U.S.C. § 2071.
3. That no other promises, agreements, or understandings exist between the parties except as set forth in this agreement, and no modification of this agreement shall have effect unless executed in writing by the parties.

If you and your client agree to the foregoing provisions, please execute this letter below.

FOR THE U.S. DEPARTMENT  
OF JUSTICE:

b(6), b(7)(C)



Counterintelligence and Export Control Section  
National Security Division  
U.S. Department of Justice

b(6), b(7)(C)



Counterintelligence and Export Control Section  
National Security Division  
U.S. Department of Justice

AGREED AND CONSENTED TO:

Handwritten signature of Heather Samuelson in cursive.

Heather Samuelson

Handwritten signature of Beth A. Wilkinson in cursive.

Beth A. Wilkinson, Esq.  
Counsel for Heather Samuelson

6/10/16

Date