



U.S. Department of Justice

Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

DEC 11 2009

CRM-200900767F

Ms. Beatrice Edwards  
Government Accountability Project  
1612 K Street, NW  
Suite 1100  
Washington, DC 20006

Dear Ms. Edwards:

This letter is in response to your request dated September 16, 2009, for all communications between the Department of Justice and the World Bank.

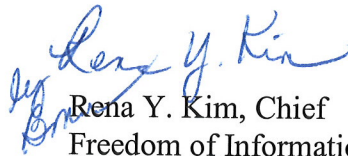
We have processed your request under the Freedom of Information Act and will make all records available as required by that statute or whose release is considered appropriate as a matter of discretion.

We have located several records within the scope of your request. In light of our review, we have determined to release items 1, 3-4, and 17, to withhold in part item 2, and to withhold in full items 5-16, and 18 (as described on the enclosed schedule). We are withholding the documents indicated in full pursuant to the following FOIA exemptions set forth in 5 U.S.C. 552(b):

- (5) which permits the withholding of inter-agency or intra-agency memorandums or letters which reflect the predecisional, deliberative processes of the Department, and/or which consist of attorney work product prepared in anticipation of specific litigation;
  - (6) which permits the withholding of personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and,
  - (7) which permits the withholding of records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information...
- (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy.

You have a right to an administrative appeal of this partial denial of your request. The appeal should be in writing and addressed to: The Office of Information Policy, United States Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, DC 20530-0001. Both the envelope and the letter should be clearly marked with the legend "FOIA Appeal." Department regulations provide that such appeals must be received by the Office of Information Policy within sixty days of the date of this letter. 28 C.F.R. 16.9. If you exercise this right and appeal is denied, you also have the right to seek judicial review of this action in the federal district (1) in which you reside, (2) in which you have your principle place of business, (3) in which the records denied are located or (4) for the District of Columbia. If you elect to file an appeal, please include, in your letter to the Office of Information Policy, the Criminal Division file number that appears above your name in this letter.

Sincerely,

A handwritten signature in blue ink that reads "Rena Y. Kim". To the left of the signature, there are some faint, illegible handwritten initials or marks.

Rena Y. Kim, Chief  
Freedom of Information/Privacy Act Unit  
Office of Enforcement Operations  
Criminal Division

SCHEDULE OF DOCUMENTS WITHHELD IN FULL  
(Refer to body of Letter for Full Description of Each Exemption)

5. Letter from James J. Graham (Criminal Division) to Howard Dean (Senior Counsel)  
dated May 1, 2006  
1 page  
Withheld in full pursuant to 5 U.S.C. 552 (b)(5)  
Withheld in part pursuant to 5.U.S.C. 552 (b)(6) and (7)(C).
6. Letter from Howard Dean (Senior Counsel) to James Graham (Criminal Division)  
dated April 25, 2006  
2 pages  
Withheld in full pursuant to 5 U.S.C. 552 (b)(5)  
Withheld in part pursuant to 5.U.S.C. 552 (b)(6) and (7)(C).
- 7-16 Emails  
dated March 14 through June 14, 2006  
Withheld in full pursuant to 5 U.S.C. 552(b)(5).
18. Note to File  
dated 12/22/2006  
Withheld in full pursuant to 5 U.S.C. 552 (b)(5)  
Withheld in part pursuant to 5 U.S.C. 552(b)(6), and (7)(C).

**Graham, James**

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**From:** Graham, James  
**Sent:** Tuesday, March 14, 2006 7:58 AM  
**To:** Mendelsohn, Mark  
**Subject:** RE: 10 am meeting

17

OK

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\*\*\*\*\*  
\*\*\* ERROR TX REPORT \*\*\*  
\*\*\*\*\*

TX FUNCTION WAS NOT COMPLETED

TX/RX NO 1102  
CONNECTION TEL 91  
SUBADDRESS  
CONNECTION ID  
ST. TIME 05/01 14:05  
USAGE T 00'35  
PGS. SENT 0  
RESULT NG #018 BUSY/NO SIGNAL

# UNITED STATES DEPARTMENT OF JUSTICE CRIMINAL DIVISION



**IMPORTANT:** This facsimile is intended only for the use of the individual or entity to which it is addressed. It may contain information that is privileged, confidential, or otherwise protected from disclosure under applicable law. If the reader of this transmission is not the intended recipient or the employee or agent responsible for delivering the transmission to the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this transmission or its contents is strictly prohibited. If you have received this transmission in error, please notify us by telephoning and returning the original transmission to us at the address given below.

**TO:** Howard Dean

**Phone:**

**Fax:** 202-522-1596

**FROM:** Jim Graham

**Phone:** 202-514-8429

**Fax:** 202-514-7029

**E-mail:** james.graham@usdoj.gov

**DATE:** May 1, 2006

**SUBJECT:**

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO	1112
CONNECTION TEL	916506937061
SUBADDRESS	
CONNECTION ID	
ST. TIME	05/02 12:54
USAGE T	00'50
PGS. SENT	4
RESULT	OK



U.S. Department of Justice

Criminal Division

Washington, D.C. 20530

May 2, 2006

**VIA FACSIMILE**

Mr. Tracy Ingle  
Department of Policy Enforcement  
MSN Hotmail  
1065 La Avenida, SVC4  
Mountain View, CA 94043  
Facsimile: 650-693-7061

Re: Preservation of all records relating to [benlhu@hotmail.com](mailto:benlhu@hotmail.com)

Dear Mr. Ingle:

I am writing to make a formal request for the preservation of records and other evidence pursuant to 18 U.S.C. § 2703(f) pending further legal process.

You are hereby requested to preserve, for a period of 90 days, the records described below currently in your possession, including records stored on backup media, in a form that includes the complete record. If compliance with this request may result in a permanent or temporary termination of service to the accounts described below, or otherwise alert the subscriber or user of these accounts as to your actions to preserve the referenced files and records, please contact me before taking such actions.

You also are requested not to disclose the existence of this request to the subscriber or any other person, other than as necessary to comply with this request. Disclosure of the receipt of this request could impede the investigation being conducted and thereby interfere with the



U.S. Department of Justice

Criminal Division

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Washington, D.C. 20530

May 2, 2006

**VIA FACSIMILE**

Mr. Tracy Ingle  
Department of Policy Enforcement  
MSN Hotmail  
1065 La Avenida, SVC4  
Mountain View, CA 94043  
Facsimile: 650-693-7061

Re: Preservation of all records relating to [benlhu@hotmail.com](mailto:benlhu@hotmail.com)

Dear Mr. Ingle:

I am writing to make a formal request for the preservation of records and other evidence pursuant to 18 U.S.C. § 2703(f) pending further legal process.

You are hereby requested to preserve, for a period of 90 days, the records described below currently in your possession, including records stored on backup media, in a form that includes the complete record. If compliance with this request may result in a permanent or temporary termination of service to the accounts described below, or otherwise alert the subscriber or user of these accounts as to your actions to preserve the referenced files and records, please contact me before taking such actions.

You also are requested not to disclose the existence of this request to the subscriber or any other person, other than as necessary to comply with this request. Disclosure of the receipt of this request could impede the investigation being conducted and thereby interfere with the enforcement of the law. If you plan to disclose this request to the subscriber, please contact the undersigned prior to doing so.

This request applies only retrospectively. It does not in any way obligate you to capture and preserve new information that arises after the date of this request.

This preservation request applies to the following records and evidence:

A. All stored electronic communications and other files reflecting communications to or from the following electronic mail address: [benlhu@hotmail.com](mailto:benlhu@hotmail.com);

B. All records and other evidence relating to the subscriber(s), customer(s), account holder(s), or other entity(ies) associated with the e-mail address benlhu@hotmail.com including, without limitation, subscriber names, user names, screen names or other identities, mailing addresses, residential addresses, business addresses, e-mail addresses and other contact information, telephone numbers or other subscriber number or identity, billing records, information about the length of service and the types of services the subscriber or customer utilized, and any other identifying information, whether such records or other evidence are in electronic or other form; and

C. Any other records and other evidence relating to the e-mail address benlhu@hotmail.com. Such records and other evidence include, without limitation, correspondence and other records of contact by any person or entity about the above-referenced account, the content and connection logs associated with user activity or relating to communications and any other activities to, through or from benlhu@hotmail.com whether such records or other evidence are in electronic or other form.

Please do not hesitate to contact me if you have any questions or concerns. Thank you for your cooperation.

Sincerely,



James J. Graham  
Trial Attorney  
Criminal Division, Fraud Section  
United States Department of Justice  
Phone: (202) 514-8429





U.S. Department of Justice

Criminal Division

Washington, D.C. 20530

OCT 20 2006

WIP  
(b)(5),  
(b)(7)(C)

Howard Dean, Esquire  
Senior Counsel, Operations Policy  
Legal Vice Presidency  
The World Bank  
1818 H Street, NW  
Washington, DC 20433

Re: World Bank Referral Regarding [ ]

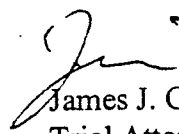
Dear Mr. Dean:

Please extend our request that the Bank

(b)(5)

Thank you for your consideration.

Sincerely,

  
James J. Graham  
Trial Attorney  
Fraud Section



U.S. Department of Justice

Criminal Division

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Washington, D.C. 20530

FEB 12 2008

Howard Dean, Esquire  
Senior Counsel, Operations Policy  
Legal Vice Presidency  
The World Bank  
1818 H Street, NW  
Washington, DC 20433

Re: World Bank Referral Regarding Messrs. Hu and Muhsin

Dear Mr. Dean:

Reference my letter of October 20, 2006, and our conversation on December 18, 2006, regarding the status of our investigation of the captioned matter and the need to refrain from informing the subjects of the facts and content of your referral of this matter.

After reviewing all the materials produced by your staff including very thorough interviews of many bank employees and the subjects, we have decided to decline prosecution. As a consequence, it is no longer necessary to continue to withhold disclosure of the fact of the referral to the subjects or any related materials required by Bank policies and procedures.

Thank you very much for your cooperation and patience in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "James J. Graham", with a long, sweeping horizontal line extending to the right.

James J. Graham  
Trial Attorney  
Fraud Section

cc: Mark Mendelsohn  
Deputy Chief