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FOUNDED 1866

March 22, 2007

**VIA E-MAIL, FACSIMILE, AND OVERNIGHT DELIVERY**

The Honorable Patrick Leahy  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

The Honorable Arlen Specter  
Ranking Minority Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman and Senator Specter:

I am in receipt of your letter of last night requesting that Kyle Sampson voluntarily appear to provide testimony at a hearing to be conducted by your Committee on Thursday, March 29, 2007. I write to respectfully request a scheduling accommodation to permit Mr. Sampson more time to review this matter and to permit me to take a previously scheduled vacation with my family during my children's spring break.

We received copies of the Department of Justice document production only three days ago, on Tuesday, March 20th. We are still in the process of reviewing and analyzing that production and discussing it with our client. Moreover, the White House has promised to furnish on a voluntary basis a set of White House documents reflecting communications with the Department of Justice and others. The House Judiciary Committee has also recently authorized further document subpoenas. These further document productions, if made, could be voluminous and would likely contain additional documents of relevance to Mr. Sampson's testimony. We believe it would be unreasonable and counterproductive to expect Mr. Sampson to furnish testimony before he has had an opportunity to review and analyze the full documentary record, which may be critical to refreshing his recollection of the matters under examination by your Committee.

In addition, as noted, my family and I have longstanding plans to be in Utah for the entirety of next week on vacation. Not only do we have non-refundable airline tickets and lodging, but this is the only week this spring when both my children are on break from school.

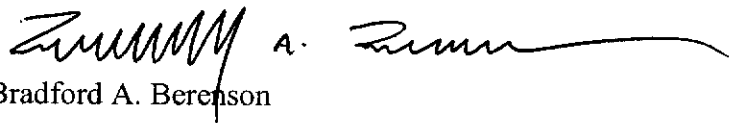
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The Honorable Arlen Specter  
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While I recognize that my personal needs and interests must be subordinated to those of my client and your Committee, I would be most grateful if, as a matter of professional courtesy, the Committee would consider accommodating these plans.

In light of the foregoing, I would respectfully ask the Committee for a short postponement of any requested testimony by Mr. Sampson until no earlier than Monday, April 2nd. In addition, we would request that the Committee afford Mr. Sampson 72 hours after the last set of documents is released to make a decision concerning his willingness to submit to a voluntary interview or appearance before the Committee.

We appreciate your consideration and look forward to your prompt reply.

Sincerely,

  
Bradford A. Berenson