

December 3, 2021

VIA EMAIL

Honorable Bennie G. Thompson, Chairman
Honorable Liz Cheney, Vice Chair
Select Committee to Investigate the January 6th Attack on the United States Capitol
U.S. House of Representatives

Re: *Subpoenas Served on Honorable Mark R. Meadows – Request for Production of Documents*

Dear Chair Thompson and Vice Chair Cheney:

On behalf of our client, the Honorable Mark R. Meadows, I write in response to the subpoena from the Select Committee to Investigate the January 6th Attack on the United States Capitol dated September 23, 2021, and to your letter of November 23, 2021. As described below, Mr. Meadows is today making a continuing production of documents in response to the subpoena. This production includes 2,319 documents and 2,514 pages. For text messages withheld as privileged, there are 38 text message threads with attorney-client privilege and 23 text message threads with executive privilege.

Previously we committed to producing any responsive, non-privileged documents that we identify. The documents included in today's production were collected primarily from backup data from Mr. Meadows's personal devices. As we have previously explained, Mr. Meadows no longer has his personal cell phone available to him; this production is based on all remaining available data from that device.

This production is based on our careful review of all incoming and outgoing text messages in Mr. Meadows's custody or control between the dates of November 3, 2020 to January 21, 2021 as well as any available attachments or other identifiable documents from Mr. Meadows's personal computer. In response to the Select Committee's focus on this time frame in its subpoena, the review was done for all text messages in this entire date range instead of through application of more limited search terms, for instance.

These documents are being produced in response to the Select Committee's subpoena. This letter and its attachments, any copies thereof, and any past or future correspondence regarding this matter, are not intended to waive any of Mr. Meadows's privileges or rights. They should not be construed as a waiver of any privilege or right. To the extent that we have identified responsive documents that are nevertheless privileged, we are providing a privilege log in connection with the production that identifies the documents withheld and the nature of the privileges asserted.

The materials included in today's production are produced in electronic format and Bates numbered: MM010785 through MM015356. The production file is password protected. We will provide instructions on accessing the production by separate email, and you should not hesitate to contact us should any issues arise.

Today Mr. Meadows is also producing some non-privileged, responsive emails and attachments that were recovered from his personal computer. Most communications recovered from this device were associated with his personal email account. Thus, we have previously reviewed for responsiveness and privilege and produced appropriate communications to the Select Committee. Any responsive, nonprivileged documents not previously reviewed are being produced today. This production includes 20 documents in 42 pages.

As with the initial production, this production and our related correspondence may include sensitive personal information. We respectfully request that these materials, including this letter and our other correspondence with the Select Committee and its staff, be treated as confidential under the House Rules; that they be afforded the fullest protection available by law and policy; and that they be treated as confidential and exempt from disclosure beyond the Select Committee. The production of any privileged or otherwise protected information which is not responsive to the subpoena is unintentional, and we request the prompt return of any such information if identified or upon our request. We further request that confidential treatment be accorded to any notes, memoranda, or other records created by or at the direction of the Select Committee or employees that reflect, refer, or relate to this letter or to any portion of the enclosed productions.

Please promptly inform me, at the address and phone number listed above, of any request seeking access to the documents or any of the above-mentioned records, including this letter, to enable us to substantiate the grounds for confidential treatment, unless the Select Committee intends to deny such request for access. At the conclusion of the Select Committee's review of the enclosed documents, we request that all copies be returned to me at the address above.

If you have any questions regarding the enclosed materials or any issues relating to this matter, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael Francisco". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael Francisco*

cc:



* Not admitted in DC; admitted in CO. Application for admission to the DC bar filed; working under the direct supervision of an enrolled, active member of the DC bar