

EXHIBIT 39

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JENNER & BLOCK LLP

May 9, 2019

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VIA FAX: (202) 514-1009

Kerri Kupec
Director
Office of Public Affairs
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Re: Request for Expedition of Freedom of Information Act Requests

Dear Ms. Kupec:

Pursuant to Department of Justice (“DOJ”) regulations, 28 C.F.R. § 16.5(e)(1)(iv), (e)(2), and (e)(3), I request, on behalf of Huawei Technologies Co., Ltd., and Huawei Device USA Inc. (collectively, “Huawei”), that you authorize the expedition of Freedom of Information Act requests I made on behalf of Huawei to the following DOJ components on May 1, 2019: the Office of Information Policy, the Office of the Attorney General, the Office of the Deputy Attorney General, the Office of Legislative Affairs, the Office of Public Affairs, the Executive Office for United States Attorneys, the Federal Bureau of Investigation, the Criminal Division, and the National Security Division.¹ I have enclosed copies of these requests.

Broadly speaking, the requests seek communications and other materials concerning DOJ’s investigation and prosecution of Huawei and Meng Wanzhou, the indictment issued in *United States v. Huawei Technologies Co., Ltd., et al.*, 18-CR-457 (S-2) (AMD) (the “EDNY Indictment”), the United States-China trade relationship, and 5G technology and competition.

As the requests explain, the EDNY Indictment, the arrest of Meng Wanzhou, the United States-China trade relationship, and 5G technology and competition have been the subjects of widespread and exceptional media interest, and the information sought by the requests involves possible questions about the government’s integrity affecting public confidence, as well as

¹ Thus far, I have received the following tracking numbers for these requests: For the request made to the Office of Information Policy, the Office of the Attorney General, the Office of the Deputy Attorney General, the Office of Legislative Affairs, and the Office of Public Affairs, DOJ-2019-004384; and for the request made to the Executive Office for United States Attorneys, EOUSA-2019-002772. I have not yet received tracking numbers for the requests made to the Federal Bureau of Investigation, the Criminal Division, or the National Security Division.

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matters of general public and economic interest. News coverage of these topics has been extensive² and raised compelling questions about the government's integrity,³ which potentially affect public confidence.

² For coverage of the investigation and prosecution of, and the indictment issued against, Huawei and Meng Wanzhou, see, for example: Julia Horowitz, *Huawei CFO Meng Wanzhou Arrested in Canada, Faces Extradition to United States*, CNN (Dec. 6, 2018), <https://www.cnn.com/2018/12/05/tech/huawei-cfo-arrested-canada/index.html>; David J. Lynch, Anna Fifield & Josh Dawsey, *Arrest of Huawei Executive Triggers Stock Market Turmoil and Unsettles U.S.-China Trade Talks*, Wash. Post (Dec. 6, 2018), https://www.washingtonpost.com/world/asia_pacific/china-protests-despicable-hooliganism-after-arrest-of-huawei-executive/2018/12/06/c5875820-f942-11e8-863a-8972120646e0_story.html?utm_term=.7275461e4c44; Raymond Zhong, *Meng Wanzhou Was Huawei's Professional Face, Until Her Arrest*, N.Y. Times (Dec. 7, 2018), <https://www.nytimes.com/2018/12/07/technology/meng-wanzhou-huawei-arrest.html>; David E. Sanger, Katie Benner & Matthew Goldstein, *Huawei and Top Executives Face Criminal Charges in the U.S.*, N.Y. Times (Jan. 28, 2019), <https://www.nytimes.com/2019/01/28/us/politics/meng-wanzhou-huawei-iran.html>; Klint Finley, *US Ratchets up the Pressure on Huawei with New Indictments*, Wired (Jan. 28, 2019), <https://www.wired.com/story/us-ratchets-up-pressure-huawei-new-indictments/>; Ellen Nakashima & Devin Barrett, *Justice Dept. Charges Huawei with Fraud, Ratcheting up U.S.-China Tensions*, Wash. Post (Jan. 29, 2019), https://www.washingtonpost.com/world/national-security/justice-dept-charges-huawei-with-fraud-ratcheting-up-us-china-tensions/2019/01/28/70a7f550-2320-11e9-81fd-b7b05d5bed90_story.html?utm_term=.d2e3ebbe6151; Sherisse Pham, *US v. Huawei: 4 Key Takeaways from the Indictments*, CNN (Jan. 29, 2019), <https://www.cnn.com/2019/01/29/tech/us-indictment-huawei-takeaways/index.html>; Camilo Montoya-Galvez, *U.S. Charges Chinese Telecom Giant Huawei with Fraud, Stealing Trade Secrets*, CBS News (Jan. 29, 2019), <https://www.cbsnews.com/news/huawei-indictment-charges-fraud-selling-trade-secrets-today-us-justice-department-china-company-t-mobile-2018-01-28-updated/>; Nat'l Pub. Radio, *What the Huawei Indictment Says About How China Steals Technology* (Jan. 29, 2019), <https://www.npr.org/2019/01/29/689760862/what-the-huawei-indictment-says-about-how-china-steals-technology>; The Economist, *Weighing on Huawei: America Unseals Its Indictment Against Huawei* (Jan. 31, 2019), <https://www.economist.com/business/2019/01/31/america-unseals-its-indictment-against-huawei>; Dan Bilefsky, *What You Need to Know About the Huawei Court Case in Canada*, N.Y. Times (Mar. 6, 2019), <https://www.nytimes.com/2019/03/06/world/canada/huawei-meng-wanzhou-arrest.html>; Jackie Northam, *Extradition Hearing for Huawei CFO Comes During U.S.-China Trade Talks*, Nat'l Pub. Radio (Mar. 6, 2019), <https://www.npr.org/2019/03/06/700625601/extradition-hearing-for-huawei-cfo-comes-during-u-s-china-trade-talks>; Brendan Pierson & Karen Freifeld, *By Spying on Huawei, U.S. Found Evidence Against the Chinese Firm*, Reuters (Apr. 4, 2019), <https://www.reuters.com/article/us-usa-china-huawei-tech/us-conducted-secret-surveillance-of-chinas-huawei-prosecutors-say-idUSKCN1RG29T>; Bloomberg News, *How Huawei Became a Target for Governments*, Wash. Post (Apr. 30, 2019), https://www.washingtonpost.com/business/how-huawei-became-a-target-for-governments/2019/04/30/331fe868-6b29-11e9-bbe7-1c798fb80536_story.html?utm_term=.a27e36c72730.

For coverage of the United States-China trade relationship, see, for example: David J. Lynch, Anna Fifield & Josh Dawsey, *Arrest of Huawei Executive Triggers Stock Market Turmoil and Unsettles U.S.-China Trade Talks*, Wash. Post (Dec. 6, 2018), https://www.washingtonpost.com/world/asia_pacific/china-protests-despicable-hooliganism-after-arrest-of-huawei-executive/2018/12/06/c5875820-f942-11e8-863a-8972120646e0_story.html?utm_term=.7275461e4c44; Jeffrey Wright, Paul Triolo & Michael

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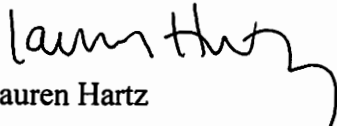
For coverage of 5G technology and competition, see, for example: Brian Fung, *How China's Huawei Took the Lead Over U.S. Companies in 5G Technology*, Wash. Post (Apr. 10, 2019), https://www.washingtonpost.com/technology/2019/04/10/us-spat-with-huawei-explained/?utm_term=.248c0919c161; Brian Fung, *5G Is About to Get a Big Boost from Trump and the FCC*, Wash. Post (Apr. 12, 2019), https://www.washingtonpost.com/technology/2019/04/12/g-is-about-get-big-boost-trump-fcc/?utm_term=.bce85b731e88; Yoko Kubota & Dan Strumpf, *China Investigates Ericsson Over Licensing as 5G Competition Heats Up*, Wall Street J. (Apr. 15, 2019), <https://www.wsj.com/articles/china-investigates-ericsson-over-licensing-as-5g-competition-heats-up-11555332158>; Dan Strumpf, *Huawei Revenue Jumps as 5G Contracts Roll In*, Wall Street J. (Apr. 21, 2019), <https://www.wsj.com/articles/huawei-revenue-jumps-as-5g-contracts-roll-in-11555904631>; Jari Tanner, *Nokia Sees Tough Competition in Market for 5G Networks*, ABC News (Apr. 25, 2019), <https://abcnews.go.com/Technology/wireStory/nokia-books-surprise-loss-amid-tough-competition-networks-62619906>; Thomas Duesterberg, *Problems and Prospects for 5G Deployment in the United States*, Forbes (Apr. 30, 2019), <https://www.forbes.com/sites/thomasduesterberg/2019/04/30/problems-and-prospects-for-5g-deployment-in-the-united-states/#7190b323312e>; Joe Uchill, *How to Stop the Next "Huawei Moment,"* Axios (May 2, 2019), <https://www.axios.com/huawei-5g-preparedness-trump-administration-90ec8d5b-fb97-4f89-a351-7544bdb122c8.html>; Asa Fitch, *Justice Department Warns Against Broad Penalty for Qualcomm in FTC Case*, Wall Street J. (May 3, 2019), <https://www.wsj.com/articles/justice-department-warns-against-broad-penalty-for-qualcomm-in-ftc-case-11556865004>.

³ See, e.g., Emily Stewart & Alex Ward, *The US Got Canada to Arrest a Top Chinese Tech Executive*, Vox (Dec. 6, 2018), <https://www.vox.com/policy-and-politics/2018/12/6/18128900/huawei-sabrina-meng-arrest-canada-china-us>; Justin Sink, *Trump Says He'd Intervene in Huawei Case to Get China Deal*, Bloomberg (Dec. 11, 2018), <https://www.bloomberg.com/news/articles/2018-12-12/trump-says-he-d-intervene-in-huawei-cfo-s-case-for-trade-deal>; Brent D. Griffiths, *Trump Says He Could Weigh in on*

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I certify that the foregoing is true and correct.

Sincerely,


Lauren Hartz

Encl.

Huawei CFO Case, Politico (Dec. 11, 2018), <https://www.politico.com/story/2018/12/11/trump-huawei-china-trade-deal-meng-wanzhou-1058722>; Betsy Klein & Ben Westcott, *Trump Expresses Openness to Using Huawei CFO as Bargaining Chip in China Trade Talks*, CNN (Dec. 12, 2018), <https://www.cnn.com/2018/12/11/politics/trump-china-huawei-cfo/index.html>; BBC, *Meng Wanzhou: Trump Could Intervene in Case of Huawei Executive* (Dec. 12, 2018), <https://www.bbc.com/news/world-us-canada-46533971>; Deirdre Shesgreen, *Canada to Trump Administration: Don't Play Politics with Huawei Executive Meng Wanzhou Extradition Case*, USA Today (Dec. 14, 2018), <https://www.usatoday.com/story/news/world/2018/12/14/canada-trump-administration-huawei-executive-meng-wanzhou-extradition-case/2307807002/>; The Guardian, *Trump's Remarks Could Stymie US Extradition of Huawei CFO from Canada* (Jan. 23, 2019), <https://www.theguardian.com/technology/2019/jan/23/huawei-executive-detained-canada-extradition-us>; Steven Overly, *Trump Says Huawei Charges on the Table in China Trade Talks*, Politico (Feb. 22, 2019), <https://www.politico.com/story/2019/02/22/trump-huawei-china-trade-talks-1206627>; Kate Fazzini, *Huawei CFO Defense Will Center on President Trump's Trade Comments*, CNBC (Mar. 6, 2019), <https://www.cnbc.com/2019/03/06/huawei-cfo-defense-will-center-on-president-trumps-trade-comments.html>; Krista Gmelich, Natalie Obiko Pearson & Patricia Hurtado, *Trump Comments Help Huawei CFO Cry Foul Over "Politicized" Case*, Bloomberg (Mar. 6, 2019), <https://www.bloomberg.com/news/articles/2019-03-06/huawei-cfo-braces-for-court-fight-as-canadians-languish-in-china>.