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February 18, 2014

VIA EMAIL AND REGULAR MAIL

Reid J. Schar, Esq.
Jenner & Block LLP
353 North Clark Street
Chicago, IL 60654

Re: *William Stepien*

Dear Reid:

Thank you for your letter of February 11, 2014, in which you (1) informed me that the Select Committee on Investigation has held, by motion, that William Stepien's objections to the Subpoena served upon him are invalid; (2) requested that I provide documents responsive to that Subpoena by no later than today; (3) offered to review those documents *in camera* and at a place of my choosing; (4) urged me to consider whether there are any materials responsive to the Subpoena for which my objections can be withdrawn; and (5) offered to discuss these issues or any ideas I might have to allow the Committee to obtain responsive documents from Mr. Stepien. Please accept the following as Mr. Stepien's response to your letter.

First, Mr. Stepien's constitutional and common law bases for objecting to the Subpoena were explained at length in my January 31st letter. Will you kindly provide me with a similarly detailed explanation of the Committee's reasons for declaring those objections invalid?

Second, for the reasons set forth in my January 31st letter, Mr. Stepien declines to produce documents in response to the Subpoena.

Third, beyond the fact that I cannot imagine what *in camera* review would entail or imply in the circumstances present here, Mr. Stepien objects to producing documents in response to the Subpoena without reference to the audience that would review them or the location at which they would be reviewed. Accordingly, while I appreciate your offer to conduct *in camera* review of the documents responsive to the Subpoena at a location of my choosing, that offer is respectfully rejected.

Fourth, as Mr. Stepien objects to the production *qua* production of documents in response to the Subpoena, his objections apply to the Subpoena in its entirety. Accordingly, there are no aspects of the Subpoena as to which those objections can be withdrawn.

Fifth and finally, in response to your request for my input, I can think of no lawful way the Committee can obtain documents responsive to its Subpoena from Mr. Stepien. Stated simply, his principled objections to the Subpoena raise significant legal issues that are no less valid because they here arise in the context of a politically-charged investigation. Hence, I respectfully suggest that if the Committee persists in its refusal to withdraw the Subpoena, we confer on an orderly process and schedule for seeking a judicial determination as to the validity of those objections. I will make myself available to discuss such a process and schedule at your convenience.

Thank you for your continuing cooperation in this important matter. I look forward to hearing from you.

Very truly yours,

Kevin H. Marino

cc: Mr. William Stepien