

## Results of Interview

On December 15, 2011, the Inspector General (IG) and the Counsel to the Inspector General had a meeting with attorneys from Special Litigation Branch ( [REDACTED] ) concerning the forwarding of litigation-related email messages to outside individuals. During the meeting, [REDACTED] provided a timeline for the litigation concerning the notice posting rule.

The Special Litigation attorneys each reviewed a number of e-mail messages sent by Terry Flynn to Peter Kirsanow and other outside attorneys, forwarding litigation-related communications from Special Litigation Branch. The three had not been previously aware that their e-mail messages were forwarded outside the Agency. Although they confirmed that most of the messages contained only publically-available material, [REDACTED] and [REDACTED] stated their opinion that the September 19, 2011, message stating "[REDACTED] and I are considering whether to file a motion for consolidation of the two cases" contained privileged attorney-client communications.