

Exhibit “A”

Keller, Mary Beth (EOIR)

From: Mooney, Fran (EOIR)
Sent: Wednesday, October 28, 2009 8:53 AM
To: Komis, Elaine (EOIR)
Cc: Eastwood, Susan (EOIR); Cohen, Scott (EOIR); Smith, Gary (EOIR); Blum, John N. (EOIR); Keller, Mary Beth (EOIR)
Subject: RE: Lyttle, Mark FW: Docket and Events of April, 2009 and October 7, 2009

Elaine:
We have answered her questions with written responses. The bottom line is she has her own agenda and no matter what we have written to her explaining the agency's position, she has chosen to slant the story her own way. Sadly, this has been the case all along. Unfortunately, we will hear more from her down the road.

Please touch base with Charles (DOJ-Public Affairs) to let him know--he is well aware of the history of Ms. Stevens and will not be surprised by any of this. Also, please close the loop with Cynthia so she is aware.

Finally, we WILL NOT include Ms. Stevens vitriol in our clips--even if Benders picks it up.

Thanks
Fran

-----Original Message-----

From: Komis, Elaine (EOIR)
Sent: Wednesday, October 28, 2009 8:31 AM
To: Mooney, Fran (EOIR)
Cc: Eastwood, Susan (EOIR); Cohen, Scott (EOIR)
Subject: FW: Lyttle, Mark FW: Docket and Events of April, 2009 and October 7, 2009

Fran,

Atlanta Court Administrator Cynthia Long forwarded to me the e-mail below that Jackie Stevens sent to her and Judge Cassidy.

Your thoughts?...Elaine

-----Original Message-----

From: Long, Cynthia (EOIR)
Sent: Tuesday, October 27, 2009 5:16 PM
To: Smith, Gary (EOIR); Eastwood, Susan (EOIR); Komis, Elaine (EOIR)
Cc: Bethune, Ray (EOIR)
Subject: Lyttle, Mark FW: Docket and Events of April, 2009 and October 7, 2009

Be advised that Ms. Stevens just sent the e-mail below to both Judge Cassidy and I. I will not be responding. If you have any questions or concerns, please let me know.

Thanks,
Cynthia Long
Court Administrator
Executive Office for Immigration Review
Immigration Court

-----Original Message-----

From: Jacqueline Stevens [mailto:jstevens@lawso.ucsb.edu]
Sent: Tuesday, October 27, 2009 4:50 PM
To: Long, Cynthia (EOIR); Cassidy, William A. (EOIR)
Subject: Docket and Events of April, 2009 and October 7, 2009

Dear Mr. William Cassidy and Ms. Cynthia Long,

I am planning to publish a narrative of events related to a Master Calendar hearing for Mr. Mark Lyttle on December 9, 2008 and events that occurred on October 7, 2009 at the

Atlanta Immigration Courts. I am writing to give you the opportunity to dispute or clarify information resulting from my visit and further research. I am requesting that you provide written documentation to support any disagreement you have with the items noted below.

I would appreciate a reply by Monday, November 2. If you require more time, please let me know and provide a specific date by which you can send this. Many thanks for your assistance. I am happy to speak with you by phone. I am traveling quite a bit so would request that we make an appointment. I am happy to call either of you at your convenience.

Finally, I understand that Ms. Long's preference is for me to contact EOIR Public Affairs. I have done so and obtained helpful information. I want to make sure that you both personally have every opportunity for direct knowledge of these claims and an opportunity to reply before I publish them.

Sincerely,

Jacqueline Stevens

Observations

- 1) The Atlanta Immigration Court requires the public to adhere to an unwritten "local policy" for access to the courts.
- 2) On October 7, 2009 Mr. Cassidy notified Ms. Long that members of the public were in his court and requested that she intervene.
- 3) None of the three hearings scheduled for Mr. Cassidy's docket at 1 pm on October 7 were asylum hearings.
- 4) Within approximately three minutes of Mr. Cassidy notifying Ms. Long of my presence in his court room, she told another individual and myself that there was an asylum hearing scheduled and the hearing was closed. She also instructed us that we were "not allowed" to enter the court rooms without "checking in first at the front desk." She requested my name and the purpose for my presence in the court.
- 5) Ms. Long subsequently told me, as I was copying the docket information for the 1 pm hearings in Mr. Cassidy's court, that we could return to watch a hearing in Mr. Cassidy's court room.
- 6) Ms. Long returned to the court room and told us there was an asylum hearing and the attorney had requested that it be "closed to the media."
- 7) I never informed Ms. Long or anyone else that I or the person who was with me were members of the media.
- 8) Between April 27, 2009 and April 29, 2009 Mr. Cassidy played in the presence of at least two immigration attorneys a short portion of a digital audio recording (DAR) of a Master Calendar hearing held on December 9, 2008 that included Mr. Cassidy addressing Mr. Lyttle and other respondents. These attorneys were not the attorneys of record for Mr. Lyttle.
- 9) Mr. Cassidy did not have the authorization of Mark Lyttle or his attorney to share the contents of this recording with anyone.
- 10) The DAR that Mr. Cassidy played and the longer version included with Mr. Lyttle's alien file omitted substantial portions of Mr. Lyttle's hearing.
- 11) Mr. Cassidy has been notified by at least one other immigration attorney in an unrelated case that Mr. Cassidy omits recording significant portions of hearings and does not indicate when the proceedings are on and off the record.

--
Professor

University of California, Santa Barbara

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