FITZGERALD: YOU CAN'T HAVE WITNESSES, BUT YOU CAN HAVE 4 CONVERSATIONS

I'm about to open Christmas presents, so I'll have to put off any real comment on the news that Fitz is doing the legal work to release a very select group of intercepts to the Blagojevich impeachment committee. From his filing, it looks like he's willing to release just four conversations.

> After careful deliberation, the government applies for authorization to disclose a limited number of intercepted communications in redacted form. Although many relevant communications were intercepted, the government believes that, on balance, it is appropriate to seek the disclosure of four intercepted calls, in redacted form, to the Committee, and that disclosure of the calls by themselves would not interfere with the ongoing criminal investigation. These calls bear on a discrete episode of criminal conduct alleged in the complaint affidavit, specifically at Paragraph 68(e), and the calls are evidence of a criminal offense that the government was authorized to monitor under the wiretap order. Under separate cover and under seal, the government provides to this Court for its ex parte, in camera review, both a set of the full audio recordings of these four calls (Exhibit 3) and a set of proposed redacted recordings (Exhibit 4) omitting portions of the conversations not material to the episode described in Paragraph 68(e) of the complaint affidavit.

It will not surprise you in the least that Paragraph 68(e) is one of the least sexy in the entire complaint.

> Also during this call, ROD BLAGOJEVICH and Fundraiser A spoke about efforts to raise funds from two other individuals before the end of the year. Fundraiser A advised ROD BLAGOJEVICH that with respect to one of these individuals, Contributor 1, Lobbyist 1 had informed Fundraiser A that Contributor 1 was "good for it" but that Lobbyist 1 was "going to talk with you (ROD BLAGOJEVICH) about some sensitivities legislatively, tonight when he sees you, with regard to timing of all of this." ROD BLAGOJEVICH asked, "Right, before the end of the year though, right?" Fundraiser A responded affirmatively. Later in the conversation, ROD BLAGOJEVICH stated that he knows Lobbyist 1 is "down there (Springfield, Illinois)" with Contributor 1 "pushing a bill." In a series of calls since that time, it became clear that the bill Lobbyist 1 is interested in is in the Office of the Governor awaiting ROD BLAGOJEVICH's signature. The bill, which is believed to be a law which involves directing a percentage of casino revenue to the horse racing industry, is expected to be signed as soon as next week. In a call on December 3, Lobbyist 1 advised ROD BLAGOJEVICH that Lobbyist 1 had a private conversation with Contributor 1 about the contribution ("commitment") Contributor 1 had not yet made and advised Contributor 1 "look, there is a concern that there is going to be some skittishness if your bill gets signed because of the timeliness of the commitment" and made clear that the contribution "got to be in now." ROD BLAGOJEVICH commented to Lobbyist 1 "good" and "good job." In a call the next day, Lobbyist 1 asked ROD

> BLAGOJEVICH to call Contributor 1 “just to say hello, I’m working on the timing of this thing, but it’s gonna get done.” Lobbyist 1 suggested that it is better for ROD BLAGOJEVICH to make the call personally “from a pressure point of view.” ROD BLAGOJEVICH stated that he would call Contributor 1 and indicate that ROD BLAGOJEVICH wanted to do an event (fundraiser) downstate “so we can get together and start picking some dates to do a bill signing.” Lobbyist 1 assured ROD BLAGOJEVICH that Contributor 1 would be good for the donation because Lobbyist 1 “got in his face.”

It may not be sexy, but this is also one of the allegations pertaining most directly to pending legislation.

Damn. It doesn’t even appear to have recorded Blago swearing.