

BUYING OFF VICTIMS OF ILLEGAL WIRETAPPING AT \$3 MILLION A POP...

...That could get expensive.

That's what the federal government agreed to pay to Richard Horn to settle his 15-year old suit against the government for wiretapping him in Burma.

The U.S. Government has agreed to pay \$3 million to a former Drug Enforcement Administration official who claims he was spied on by a CIA agent and a U.S. diplomat while working at the U.S. Embassy in Burma more than a decade ago.

The settlement of a long-running lawsuit brought ex-DEA agent Richard Horn was filed tonight in U.S. District Court in Washington.

Still unsettled, though, is whether this will convince Royce Lamberth to ignore all the lies the CIA told the Court in an attempt to use state secrets to make the suit go away.

The government states that "a significant reason" it entered into the settlement is to pursue the possibility of vacating two recent court orders from Lamberth relating to the issues of state secrets and the issuance of clearances. One of the orders the government is seeking to vacate was cited by the plaintiffs in the most viable legal challenge to the Bush Administration's warrantless wiretapping program, *Al Haramain Islamic Foundation v. Obama*.

"Leaving intact non-precedential rulings that resolve significant constitutional questions involving separation of powers does not serve the public interest, particularly when the parties have

agreed to forego further review to achieve a consensual resolution," the Justice Department wrote in a separate motion filed tonight.

Update: Josh changed the last quoted paragraph—which makes it all that more interesting. The government is trying to erase Lamberth's ruling on state secrets. We'll see how Lamberth feels about that.