
From: Nessel, Dana (AG) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3b6939784b674c11af45315a1b04ebe8-
Sent: 5/1/2021 9:37:04 AM
To: Dana Nessel
Subject: Fwd: Flint emails
Attachments: In re Flint Water Cases - Privileged Communications; FW: Flint water - document productions

From: Manning, Peter (AG) <ManningP@michigan.gov>
Sent: Thursday, April 15, 2021 12:13:36 PM
To: Nessel, Dana (AG)
Cc: Grossi, Christina (AG) <GrossiC@michigan.gov>; Potchen, Joseph (AG) <PotchenJ@michigan.gov>
Subject: Flint emails

Attached and pasted below:

Fadwa,

We have seen newspaper reports indicating that the criminal prosecutors in the Flint Water Crisis cases intend to produce over 21 million documents and we have been advised that the prosecutors are now starting to produce documents on a rolling basis to the criminal defendants' counsel. Based on the large number of documents mentioned in the news reports, we assume this includes the over 20 million documents produced under search warrants issued to the civil side of the Department of Attorney General and our discovery vendor KL Discovery.

Those documents, among other things, likely contain thousands of privileged communications between assistant attorneys general and their client agencies. Please note that by producing those documents to the prosecutors under search warrants, we did not waive any privilege associated with those documents, and in fact, we continue to maintain and assert all applicable privileges and protections.

If you have already produced documents seized from the civil side of the Department or its vendor, please advise us as to who has received those documents. Also, please inform any receiving party that privileged documents have likely been inadvertently produced and ask those parties to immediately return any privileged documents. In the meantime, we will be sending communications to any law firm that we determine has received productions containing documents seized from the civil side of the Department that we are not waiving any privilege associated with those documents and asking that they return any privileged communication found during their review of those documents.

Richard

Richard S. Kuhl
Assistant Attorney General
Environment, Natural Resources,
and Agriculture Division
6th Floor, G. Mennen Williams Building
525 West Ottawa Street
P.O. Box 30755
Lansing, MI 48909

PH: (517) 335-0696
FX: (517) 373-1610

kuhlr@michigan.gov



From: Bettenhausen, Margaret (AG)

Sent: Friday, April 9, 2021 5:32 PM

To: 'stramontin@psedlaw.com' <stramontin@psedlaw.com>; 'jlax@psedlaw.com' <jlax@psedlaw.com>; Randall S. Levine (rlevine@levine-levine.com) <rlevine@levine-levine.com>; 'bdolan@dickinsonwright.com' <bdolan@dickinsonwright.com>; 'swaxman@dickinsonwright.com' <swaxman@dickinsonwright.com>; Alex Rusek <alexrusek@whitelawpllc.com>; Todd Perkins <tperkins@perkinslawgroup.net>; 'wwswor@wwnet.net' <wwswor@wwnet.net>

Cc: Kuhl, Richard (AG) <KuhlR@michigan.gov>

Subject: Flint water - document productions

Importance: High

All,

It has recently come to our attention that your law firm has received documents that are from the materials seized via search warrant from the Michigan Department of Attorney General and our vendor, KL Discovery. Many of those documents are subject to the attorney client privilege or constitute attorney work product. To the extent that the prosecutors produced any of those privileged communications, we continue to assert any and all privileges associated with the documents. If you locate any actually or potentially privileged documents during your review of those materials, please treat those documents as confidential and destroy or return those documents (and any copies) to us at your earliest convenience.

If you know of any other law firms or individuals who are not copied on this email that received the same documents from the prosecutors, we would appreciate it if you could please identify them so that we may send a similar email to them regarding any privileged documents.

Regards,
Margaret

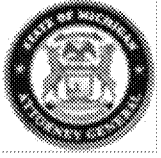
Margaret Bettenhausen (she/her/hers)

Assistant Attorney General
Michigan Department of Attorney General
Environment, Natural Resources,
and Agriculture Division
6th Floor, G. Mennen Williams Building
P.O. Box 30755
Lansing, MI 48909

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F: (517) 335-7636

BettenhausenM@michigan.gov



From: Kuhl, Richard (AG) [/O=EXCHANGELABS/O U=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9298F40B29E94AED88D578ACDF861E58-KUHL RICHARD]
Sent: 4/2/2021 3:47:24 PM
To: Hammoud, Fadwa (AG) [HammoudF1@michigan.gov]
CC: Grossi, Christina (AG) [GrossiC@michigan.gov]; Manning, Peter (AG) [ManningP@michigan.gov]; Bettenhausen, Margaret (AG) [BettenhausenM@michigan.gov]; Gambill, Nathan (AG) [GambillN@michigan.gov]; Cavanagh, Charles (AG) [CavanaghC2@michigan.gov]; Jamison, Eric (AG) [JamisonE@michigan.gov]; VanDeventer, John (AG) [VandeventerJ@michigan.gov]
Subject: In re Flint Water Cases - Privileged Communications

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From: Bettenhausen, Margaret (AG) [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5273FEFABE3B48049608AEB3682104C0-BETTENHAUSEN MARGARET]
Sent: 4/9/2021 5:32:17 PM
To: Manning, Peter (AG) [ManningP@michigan.gov]
CC: Kuhl, Richard (AG) [KuhlR@michigan.gov]
Subject: FW: Flint water - document productions

FYI

Margaret Bettenhausen (she/her/hers)

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Michigan Department of Attorney General
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BettenhausenM@michigan.gov



From: Bettenhausen, Margaret (AG)
Sent: Friday, April 9, 2021 5:32 PM
To: 'stramontin@psedlaw.com' <stramontin@psedlaw.com>; 'jlax@psedlaw.com' <jlax@psedlaw.com>; Randall S. Levine (rlevine@levine-levine.com) <rlevine@levine-levine.com>; 'bdolan@dickinsonwright.com' <bdolan@dickinsonwright.com>; 'swaxman@dickinsonwright.com' <swaxman@dickinsonwright.com>; Alex Rusek <alexrusek@whitelawpllc.com>; Todd Perkins <tperkins@perkinslawgroup.net>; 'wwwswor@wwnet.net' <wwwswor@wwnet.net>
Cc: Kuhl, Richard (AG) <KuhlR@michigan.gov>
Subject: Flint water - document productions
Importance: High

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If you know of any other law firms or individuals who are not copied on this email that received the same documents from the prosecutors, we would appreciate it if you could please identify them so that we may send a similar email to them regarding any privileged documents.

Regards,

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Sent: 5/1/2021 9:39:11 AM
To: Dana Nessel
Subject: Fwd: In re Flint Water Cases - Privileged Communications

From: Hammoud, Fadwa (AG) <HammoudF1@michigan.gov>
Sent: Thursday, April 15, 2021 11:13:14 AM
To: Nessel, Dana (AG) <
Subject: FW: In re Flint Water Cases - Privileged Communications

From: Kuhl, Richard (AG) <KuhlR@michigan.gov>
Sent: Friday, April 2, 2021 3:47 PM
To: Hammoud, Fadwa (AG) <HammoudF1@michigan.gov>
Cc: Grossi, Christina (AG) <GrossiC@michigan.gov>; Manning, Peter (AG) <ManningP@michigan.gov>; Bettenhausen, Margaret (AG) <BettenhausenM@michigan.gov>; Gambill, Nathan (AG) <GambillN@michigan.gov>; Cavanagh, Charles (AG) <CavanaghC2@michigan.gov>; Jamison, Eric (AG) <JamisonE@michigan.gov>; VanDeventer, John (AG) <VandeventerJ@michigan.gov>
Subject: In re Flint Water Cases - Privileged Communications

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