BRYAN CAVE LLP

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> political influence, would be resolved in a way that the Shakopees felt was appropriate, they wanted to make sure that no political influence occurred. The only reason for raising the matter with Mr. Fowler was to try to get him to make sure the matter was not subjected to political influence and would be considered on a level playing field. While this is noted in the Independent Counsel's report at page 171, it was ignored in reaching the faulty conclusion that Mr. Collier must have perceived that the most appropriate way to lobby DOI was to do it in conjunction with a contribution to the DNC. That is simply not born out by the facts available to the Independent Counsel and there is no evidence that establishes that this is what happened.

B. The Independent Counsel suggests that Mr. Collier gained this alleged perception through his involvement with the Hudson Dog Track issue. However, the facts clearly establish that Mr. Collier was not involved in, nor was he aware of any efforts to assert political influence in regard to the decision concerning the Hudson Dog Track. Not only was he not substantively involved in the decision process related to the track, but by the time the decision was being made, Mr. Collier had either left DOI or was in the process of leaving and was no longer involved in such matters. To suggest that Mr. Collier had had any involvement in that matter that carried over to later dealings he had on behalf of the Shakopee Tribe is pure speculation and is simply not supported by any evidence.

I ask that these comments be placed in the record along with the Independent Counsel's report so that all who read it will have the benefit of this factual information and these comments.

Sincerely,

James M. Cole