

LIBBY CASE-CIPA UPDATE

Jeff sent me the latest filing from the Plame case, in which Fitz updates Judge Walton about where the discrepancies are wrt classified information. It doesn't look like any graymail attempt is going to fly—there just don't seem to be that many outstanding issues (then again, the whole graymail thing might just be an attempt to plant a cause for appeal, so they can keep Scooter out of the clink long enough for Bush to pardon him).

That said, there are ongoing disagreements about the material relating to Wilson and his trip to Niger. Fitzgerald addresses 17 documents relating to "Wilson/Niger." Five of them are unclassified, so Libby will of course be able to use those (I wonder whether this is material that showed up in the SSCI report?) One involves handwritten notes. And Exhibit 71, I'm guessing, is the INR memo (Libby's team will get "Attachment 1" but no other attachments, which in the case of the INR memo would be Rohn's notes). But there are five exhibits for which Libby's team has not yet accepted the government's redactions.

Oh to be a fly in the next CIPA hearing, assuming these don't get worked out. Walton, of course, is even more adamant than Fitzgerald about not turning this into a case about the war. And if Libby's team is trying to bring in all of the materials relating to Wilson's trip, it'll range into areas that **Walton** has objected to in the past. I strongly suspect, in any case, that these materials do relate to an attempt to attack Wilson.

And I have just one request, Judge Walton. If Libby is introducing the entire packet of items he received via fax from the CIA on June 9, 2003, do you think you could introduce the actual copies? Because I'd sure love to know who else wrote "Joseph Wilson" on their copies. Was

Dick annotating Wilson's trip report, along with
his sidekick Scooter?