

Exhibit D

From: Shannon Holliday
Sent: Wednesday, October 27, 2010 6:09 AM
To: Cohen, Barak
Cc: Morris, Brenda; Ainsworth, Peter; Olshan, Eric; Woods, Rae; Feaga, Steve P. (USAALM); Franklin, Louis V. (USAALM); ajoseph@maynardcooper.com; bespy@mewlegal.com; brettbloomston@hotmail.com; lindsey@bloomstoncallaway.com; gdj@hsy.com; tmf@hsy.com; hlgillis@tmglaw.com; lksteele@tmglaw.com; David Martin; jdillard@bddmc.com; jespy@mewlegal.com; Bobby Segall; ronwwise@aol.com; sam@heldman.net; sws@rmclaw.com; dmcknight@bddmc.com; tb@hsy.com; tgoggans@tgoggans.com; wem@gismgn.com; wespy@mewlegal.com
Subject: RE: Technical Problems
Attachments: Discovery Chart - Financials - 10 26 10 - TECH PROBS.docx; Discovery Chart Non Financials 10 26 10 - TECH PROBS.docx

Barak,

Attached are two charts showing the problems we have encountered thus far. As noted yesterday, we have used the government's indices produced Monday afternoon as a starting point to create the chart. We are finding new problems regularly and will continue to report them. I have not had the opportunity to check to see if I have all of the same problems that David McKnight had, though some of those problems I knew we had and those are noted on the chart. (The numbers on the left are from our internal disc numbering.)

I do not believe I have heard back from you regarding the government's index of the first 50,000 or so pages of US-FIN documents. Please let me know about that.

Shannon Holliday

**US v MCGREGOR, et al. – FINANCIALS
DISCOVERY PRODUCED 10/15/10 and 10/22/10**

DISC NO.	BATES RANGE	DESCRIPTION	TECHNICAL PROBLEMS/NOTES
8	US-FIN-1		53547-53791 are corrupt or empty files
22	1 DVD	Various wire transfer information for Gilley and McGregor	Need Microsoft Access to access this; will try
8	US-FIN-00054735	MCGP & JCRA Documents	
8	US-FIN-00069125	MCGP & JCRA Documents	
8	US-FIN-00076225	Bank account records related to Gary, Cottle, Teague PACs	
23	1 DVD	Bank account records for Ronnie Gilley Properties	.ABC files- what are these?
8	US-FIN-00076292	Bank account records for Ronnie Gilley Properties	
24	1 DVD	Bank account records for Ronnie Gilley Properties	
8	US-FIN-00076295	Bank account records for Sara & Carthel Holland	
8	US-FIN-00076332	Bank account records for Gerald Taylor	Entire file bad
8	US-FIN-00077077	Bank account records for Bradley Unruh	Entire file bad
8	US-FIN-00077368	Bank account records for M. Alex Smith	
8	US-FIN-00077454	Bank account records for TN Valley, Progress for AL, Senate Majority, Real Democrat PACs, Bryant Raby	
8	US-FIN-00078702	Sweet Home Alabama Coalition	
8	US-FIN-00078793	Prestige Construction	
8	US-FIN-00078816	Bank account records for Ronnie Gilley Properties	

**US v MCGREGOR, et al. – NON-FINANCIALS
DISCOVERY PRODUCED 10/22/10**

DISC NO.	BATES RANGE	DESCRIPTION	NOTES
13	US-00000001	Mantra Governmental Documents	
13	US-00000231	Certified Copies of Fair Campaign Practices Annual and Pre-Election Reports – 1/1/09 to 4/20/10	
13	US-00001083	Statements of Economic Interest for Beason, Lewis, Mask, Means, Preuitt, Ross, Smith	
13	US-00001319	Assorted Documents re Steve Windon from Sharon Gasten	
13	US-00001757	Assorted Documents re Steve Windon from Sharon Gasten	
??	US-00001915	Direct Communications, Inc., Richard Heartsill (5 CDs)	
13	US-00014091	Folder containing documents from Tom Coker (e-mails, bingo legislation, lobbyist registration statements, telephone messages, etc.)	
13	US-00014646	From Bert Danner (1) envelope of assorted documents	
13	US-00014674	Assorted documents related to lobbying activities of Fine Geddie & Associated (PAC disclosure report, legislative reports)	
13	US-0017361	Mantra Governmental	Missing or corrupted: 1757-1914
13	US-00019284	Assorted Documents from Matrix, LLC	
13	US-00020831	Assorted Documents (e-mails, telephone messages, PAC reports, bank statements) re John Teague	
13	US-00024086	Assorted Documents from Jim Gray (e-mails, invoices, bingo legislation)	
13	US-00024751	Payroll Account Information for Smith, Lewis, Means, Preuitt, Beason, Ross, Mask	
13	US-00024787	Direct Communications, Inc.	Missing or corrupted: 24787-24844
13	US-00024845	Experian Credit Reports for Smith, Means, Preuitt	
13	US-00024855	Transunion Credit Reports for Smith, Mean, Preuitt	
13	US-00024878	Assorted documents re William Cosby	

**US v MCGREGOR, et al. – NON-FINANCIALS
DISCOVERY PRODUCED 10/22/10**

DISC NO.	BATES RANGE	DESCRIPTION	NOTES
13	US-00025489	US-00025958	Assorted Documents (including e-mails) re Michael Sullivan
13	US-00025959	US-00027044	Assorted Documents re Michael Sullivan (taken from thumb drive)
13	US-00027045	US-00028098	Assorted Documents (Gaming Legislation vote counts, PAC reports, invoices, etc.) from Lobbyist Johnny Crawford
13	US-00028099	US-00028108	Transunion Credit Reports for Ross
13	US-00028109	US-00028114	Experian Credit Reports for Ross
13	US-00028115	US-00028124	Equifax Credit Reports for Spicer, Ross
13	US-00028125	US-00028235	Bert Danner – Telephone records (home and cellular)
13	US-00028236	US-00028319	Tom Coker – various checks payable to Coker & Associates by Jefferson County Racing Association and/or Macon County Greyhound Park; Copy of 2010 Alabama Candidates for Office Comprehensive List
13	US-00028320	US-00029356	Records Pertaining to 2009 and 2010 Bingo Legislation (including Operations Manual for the LRS dated January 1, 2000) (2 Accordion Files)
13	US-00029357	US-00041849	Documents pertaining to Bingo Legislation Created by/Transmitted to LRS (7 Boxes)
13	US-00041850	US-00043868	Documents for Macon County Greyhound Park & Jefferson County Racing Association
13	US-00043869	US-00044226	Folder containing documents from Tom Coker (e-mails, bingo legislation, etc.)
13	US-00044227	US-00046710	Disk – Ronnie Gilley Properties
13	US-00046711	US-00047908	Cancelled checks written to Barry Mask and Ledger Records for Great Southern Wood and Protective Life; Macon County Greyhound Park Ethics Reports
			Missing or corrupted: 26145-27044
			Missing or corrupted: 41850-43868
			Missing or corrupted: 44227-46710

**US v MCGREGOR, et al. – NON-FINANCIALS
DISCOVERY PRODUCED 10/22/10**

DISC NO.	BATES RANGE	DESCRIPTION	NOTES
13	US-00047909	US-00048062	and Legislative Reports; Disclosures from 2006-2010 for Max PAC; New PAC, Save PAC, Tel PAC, BI PAC Can PAC, Ed PAC Fax PAC, FGA PAC, IMPAC, LEG PAC;
13	US-00048063	US-00050360	Folder containing letters, invoices, messages, etc. between Great Southern Wood Preserving and Fine Geddie & Associate (2009-2010)
13	US-00050361	US-00050400	Documents related to original ledger pages for McGregor, Protective Life & Great Southern (PAC disclosures, bank records, Fine & Geddie Revenue from Gaming Interests, Calendars, Lobbying Activity Ethics Reports; Legislative Materials, Files Relating to Azalea City Racing, etc.)
13	US-00050401	US-00051325	Print out of Crosby's AOL E-mails
13	US-00051326	US-00051582	Documents from Protective Life Corporation pertaining to PAC contributors and correspondence with Fine, Geddie & Associates
13	US-00051583	US-00051700	Documents related to MCGP and JCRA
13	US-00051701	US-00054586	Documents related to the Harri Anne Smith Campaign
13			Assorted documents related to Smith for Congress Account (State Senate Campaign: 2006 In Kind Donations; Various Supporting Documents for Campaign-2008 & 2009 Annual Report; 45 Day Pre-Election Report June 1 2010 Primary; 10/5 Day Pre Election Report June 1, 2010 Primary; 10/5 Day Election Report Supporting Documents; State Senate Reports 1/1/07-12/31/09; Parsons Group Invoices; Check Stubs 4/12/10-5/14/10; Bank Reconciliations/Statements 1/1/07-5/24/10;

**US v MCGREGOR, et al. – NON-FINANCIALS
DISCOVERY PRODUCED 10/22/10**

DISC NO.	BATES RANGE	DESCRIPTION	NOTES
15	Cd #2 Containing quickbook files	US-00054587	Assorted documents related to Smith for Congress Account (Congressional Campaign; Correspondence from FEC; FEC Reports 10/1/07-12/31/08; FEC Reports 1/1/09-6/30/10; Contributor Financial Disclosure Forms; Jan-Aug 08 Contributions; Campaign Payables; 08-09 Payroll Tax Returns, Payroll Information and W-2s; 2008 1099s; Handwritten Check Stubs 02/04/08-03/11/08; Deposit Slips; Bank Settlements/Reconciliations 2/29/08-07/31/10; ParsonsGroup Invoices; Loan Documents; Various Word & Excel Documents; Email Correspondence with Attachments
13	US-00054588	US-00054734	Smith for Congress QuickBooks File (receipts, disbursements, monthly bank reconciliations, balance sheet, profit and loss statements, deposit listing, check listing)
13	US-00054735	US-00054745	SRCP Media Records related to Harri Anne Smith Campaign
13	US-00054746	US-00054831	E-mail and attachment from Ken Guin (re Bingo Legislation)
13	US-00054832	US-00054856	Ledger pages for Great Southern Wood, Protective Life, Milton McGregor as well as various deposit items from Aliant Bank
15	cd containing 2 quickbook files	US-00054587	Copies of e-mails re Mowery's Political Consulting Company
13 (end)	US-00054857	US-00055101	Smith for Congress QuickBook File (receipts, disbursements, monthly bank reconciliations, balance sheet, profit and loss statements, deposit listing, check listing) Ledger sheets for Senate Majority PAC; TN Valley

We are not sure we can open this yet, and will keep you apprised.

**US v MCGREGOR, et al. – NON-FINANCIALS
DISCOVERY PRODUCED 10/22/10**

DISC NO.	BATES RANGE	DESCRIPTION	NOTES
14	US-00055102	Citizens for Economic Development PAC, Progress for AL PAC; The Real Democrat PAC; Bryant Raby e-mails; Raby PAC checks to various Crawford PACs; PAC reports for Senate Majority PAC; TN Valley Citizens for Economic Development PAC; The Real Democrat PAC; Ronnie Gilley Checks; Ronnie Gilley Entertainment, LLC Checks; Poarch Creek Indians Checks; TN Valley checks to Troy King and Arthur Davis; Servisfirst Bank Statements for Bryant Raby PACS	Range of pages 58882-59213 has multiple pages which appear to be computer icons when opened.
14	US-00061287	Various records pertaining to Tarella, Inc. (3 boxes)	Pages 59214-59384 are missing.
14	US-00061288	Direct Communications, Inc./Rick Heartsill	Pages 59974-59977 are missing.
14	US-00061810	Statements of Economic Interest for Barton, Benefield, Bishop, Brooks, Butler, Clouse, Coleman, Denton, Dixon, Dunn, Ford, French, Gipson, Grimes, Hammet, Holley, Jones, King, Little, McCutcheon, McGill, Mitchell, Mitchem, Morrow, Pittman, Poole, Sanford, Singleton, Spicer, Young.	Pages 60696 to 61160 are missing.
14	US-00062818	Payroll Account Information for Clouse, Ford, Sanford, Barton, Butler, Grimes, Mitchell, Mitchem, Morrow, Pittman, Singleton, Spicer, Benefield,	

**US v MCGREGOR, et al. – NON-FINANCIALS
DISCOVERY PRODUCED 10/22/10**

DISC NO.	BATES RANGE	DESCRIPTION	NOTES
		Bishop, Brooks, Coleman, Denton, Dixon, Dunn, French, Gipson, Hammett, Holley, Jones, King, Little, Poole, Young, McCutcheon	
14	US-00062969	US-00063000 Experian Credit Reports for Bedford, Singleton, Sanders, Denton, Holley	
14	US-00063001	US-00063024 Experian Credit Reports for Bedford, Singleton, Sanders, Denton, Holley	
14	US-00063025	US-00063293 Documents related to Lobbying Activities of Greg Jones on behalf of Greene Track and/or Luther Winn	
14	US-00063294	US-00063357 Equifax Credit Reports for Spicer, Grimes, Dixon, Mitchell, Barron, Guin, Jones, Young	
14	US-00063358	US-00064184 Mantra Governmental/Jarrod Massey; Sprint Billing Statements (Disk (Mantra-RGP-marked as corrupt)); Jarrod Massey e-mails	
16	1CD	US-00064185	Three of five sets of email files do not open. Only first two sets open. Our office has to "repair" the second file even to get that opened. There are approximately 5,000 emails and attachments on the two files we have.
11	US-00064186	US-00064348	302s Pt. 1
12	US-00064349	US-00064436	302s Pt. 2
25*	US-00064437	US-00064593	Fine Geddie Documents
25	US-00064594	US-00064750	Direct Communications/Richard Heartsill
25	US-00064751	US-00064933	Direct Communications/Richard Heartsill
25	US-00064934	US-00067851	Cell Phone Records
25	US-00067852	US-00071756	Cell Phone Records
25	US-00071757	US-00071979	Fine Geddie Documents (Political Documents)
26	DVD (Audio)	US-00071980	Fine Geddie Documents (Political Documents)
			Missing or corrupted: 64,594-71,757; 74,377-76,784
			Missing or corrupted
			Missing or corrupted
			Missing or corrupted

**US v MCGREGOR, et al. – NON-FINANCIALS
DISCOVERY PRODUCED 10/22/10**

DISC NO.	BATES RANGE	DESCRIPTION	NOTES
		(Video from Kay Ivey)	
25	US-00071981	Fine Geddie Documents (Political Documents)	
25	US-00072277	Sweet Home AL Coalition	
25	US-00072350	Sweet Home AL Coalition	
25	US-00072423	Fine Geddie	
25	US-00073050	Fine Geddie	
27	DVD	Fine Geddie	We still have to obtain Quicken and determine if we can open these files. It took us some time to determine that they were Quicken files.
28	DVD	Documents Related to Geddie, Massey & Fine Geddie	Cannot open "caseware" files. Perhaps they are not meant to open? Cannot open .rtf file. Perhaps are not meant to open. Cannot open one of the ten .pdf files.
29	DVD	Ronnie Gilley Properties	
25	US-00074327	Polling Data from Zach McCarary	
25	US-00074377	Ronnie Gilley Properties	Missing or corrupted
25	US-00075550	Ronnie Gilley Properties	Missing or corrupted
25 (end)	US-00076785	Documents Pertaining to SSI Contracts, Promissory Notes, ect from Ted Graham	
31*		Pounicy Plea Agreement	
31*		Pounicy Information	
31*		Consensual Recording Agreement-Beason, April 15, 2009	
31*		Consensual Recording Agreement-Beason, February 3, 2010	
31*		Consensual Recording Agreement-Mask, February 15, 2010	
31*		Consensual Recording Agreement-Lewis, March 24, 2009	

**US v MCGREGOR, et al. – NON-FINANCIALS
DISCOVERY PRODUCED 10/22/10**

DISC NO.	BATES RANGE	DESCRIPTION	NOTES
31*		SMS Participant Details – Jarrod Massey	
		SMS Participant Details – Ronald Gilley	
31		GJ Testimony, Patty King, August 4, 2009	
31		GJ Testimony, Charles Porter, August 4, 2009	
31		GJ Testimony, Michelle Stinnett, August 5, 2009	
31		GJ Testimony, Robert Gambacurta, October 27, 2009	
31		GJ Testimony, Herbert Boyd Kelly, Jr., October 27, 2009	
31		GJ Testimony, Quentin Patrick Riggins, September 24, 2010	
31		GJ Testimony, Ricky Starling, September 24, 2010	
31		GJ Testimony, Janna Waters, September 24, 2010	
31*		Source 1023	
31*		Source 1023	
31*		Source 1023	
20	US-00076896*	Direct Communications, Inc., Richard Heartsill (comprising disk 3 of 5 disks from the 10/15/10 production)	
31*	US-00089758	FBI 302s	
21	N/A	Toll Records	
	N/A	Crosby Proffer produced by email 10.26.10	
1-4	N/A	Approximately 2600 wiretapped calls McGregor, Gilley and Massey & text messages	
17-19	N/A	Consensual Recordings Beason, Lewis, Massey	
9	N/A	Indictment Excerpts	
5-6	N/A	Surveillance Photos 2/18/10 and 2/19/10	
7	N/A	Coker Grand Jury Testimony 2006, Proffer Agreements, McGregor GJ testimony 2008	

**US v MCGREGOR, et al. – NON-FINANCIALS
DISCOVERY PRODUCED 10/22/10**

DISC NO.	BATES RANGE	DESCRIPTION	NOTES
10	N/A	Grand Jury Transcripts	Do we have them all or just a selection? We have about 50.

**US v MCGREGOR, et al. – NON-FINANCIALS
DISCOVERY PRODUCED 10/22/10**

DISC NO.	BATES RANGE	DESCRIPTION	NOTES
-----------------	--------------------	--------------------	--------------

	N/A	Blades 302 produced by email 10.26.10	
--	-----	---------------------------------------	--

**US v MCGREGOR, et al. – NON-FINANCIALS
DISCOVERY PRODUCED 10/22/10**

DISC NO.	BATES RANGE	DESCRIPTION	NOTES
-----------------	--------------------	--------------------	--------------

10	N/A	Multiple Grand Jury Transcripts	
----	-----	---------------------------------	--