

*U.S. Department of Justice**United States Attorney  
District of New Mexico**Post Office Box 607  
Albuquerque, New Mexico 87103**505/346-7274  
505/346-7224  
FAX 505/346-7296*

May 7, 2009

Custodian of Records  
New Mexico Educational Retirement Board  
701 Camino de los Marquez  
Santa Fe, New Mexico 87502

Re: **Grand Jury Subpoena**

Dear Custodian of Records:

You have been served with a subpoena duces tecum issued by a federal grand jury in connection with a criminal investigation being conducted in this district. That subpoena directs you to produce documents before the grand jury in Albuquerque, New Mexico. **Please call the grand jury coordinator, Debra Barry, at (505) 346-7274 to confirm this date and time of June 9, 2009, at 8:30 a.m..**

As a convenience to you, you may, if you wish, deliver the requested documents to Special Agent John D. Fay, Federal Bureau of Investigation, 4200 Luecking Park Avenue NE, Albuquerque, New Mexico 87107, (505) 889-1541, in lieu of personally appearing before the grand jury. Should you choose this option, please prepare the documents in some type of sealed package and mark on the package, in bright red letters if possible, "**GRAND JURY MATERIALS, DO NOT OPEN,**" and turn them over to the agent who requested them in a sealed condition.

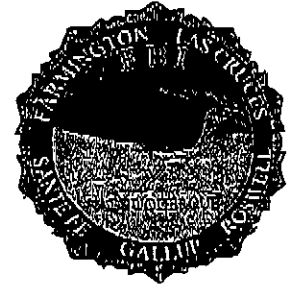
If you have any questions, please feel free to contact Special Agent John D. Fay at 889-1541.

Sincerely,

GREGORY J. FOURATT  
United States Attorney

A handwritten signature in black ink, appearing to read "Paula G. Burnett".

PAULA G. BURNETT  
Assistant United States Attorney



# Albuquerque Division

## FBI Facsimile Cover Sheet

### PRECEDENCE

- Immediate
- Priority
- Routine

### CLASSIFICATION

- Top Secret
- Secret
- Confidential
- Sensitive
- Unclassified

Time Transmitted: 10:15 AM

Sender's Initials: zc

Number of Pages: 4

(including cover sheet)

To: Chris Schatzman

Date: 5/27/09

Facsimile Number: 505-827-1855

Attention: \_\_\_\_\_

From: S.A. Leroy Chavez

Subject: Subpoena

Special Handling Instructions: \_\_\_\_\_

Originator's Name: SA Leroy Chavez Telephone: 505-889-1531

Originator's Facsimile Number: \_\_\_\_\_ Approved: \_\_\_\_\_

Brief Description of Communication Faxed: \_\_\_\_\_

### WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information, disclosure, reproduction, distribution, or use of this information is prohibited (18.U.S.C. § 641). Please notify the originator or the local FBI Office immediately to arrange for proper disposition.

# United States District Court

FOR THE DISTRICT OF NEW MEXICO

TO:

### SUBPOENA TO TESTIFY BEFORE GRAND JURY

Custodian of Records  
New Mexico Educational Retirement Board  
701 Camino de los Marquez  
Santa Fe, New Mexico 87502

SUBPOENA FOR:

PERSON  DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

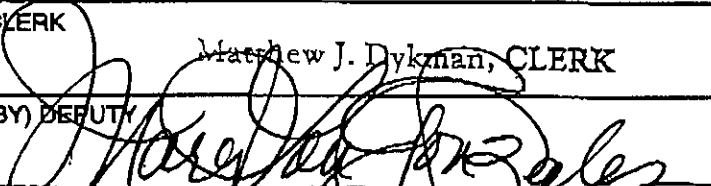
PLACE	<b>PETE V. DOMENICI</b> United States Courthouse 333 Lomas NW Albuquerque, New Mexico	ROOM	<b>GRAND JURY ROOM</b>
		DATE AND TIME	June 9, 2009 - 8:30 a.m.

YOU ARE ALSO COMMANDED to bring with the following document(s) or object(s):"

See Attachment

Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK	Matthew J. Dykman, CLERK	DATE	
(BY) DEPUTY			May 7, 2009

This subpoena is issued upon application of the United States of America	NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY
GREGORY J. FOURATT, UNITED STATES ATTORNEY	Paula G. Burnett, AUSA Post Office Box 607 Albuquerque, New Mexico 87103 (505) 346-7274 <b>0256809007</b>

## Records Requested

All e-mails, including attachments, to or from Bruce Malott for the period January 1, 2003 through the present.