

# EXHIBIT 15

REDACTED

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## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/29/2007

Lynn Kimbrough, Date of Birth \_\_\_\_\_ was interviewed at her place of employment, The Office of the District Attorney, Second Judicial District, Mitchell R. Morrissey, District Attorney, 201 West Colfax Avenue, 8th Floor, Denver, Colorado 80202, telephone 720-919-9192. Present during the interview was Henry R. Reeve, General Counsel, Office of the District Attorney, Second Judicial District, Mitchell R. Morrissey, District Attorney, 201 West Colfax Avenue, 8th Floor, Denver, Colorado 80202, telephone 720-919-9000. After being advised of the identity of the interviewing Agent and Jan Dempsey Simkins, Agent in Charge, Program Support Unit, Colorado Bureau of Investigation, 690 Kipling, Suite 3000, Denver, Colorado 80215 and the nature of the interview, Kimbrough furnished the following information:

Kimbrough has been employed at the District Attorney's Office since September 1999. She was hired to be the Communications Director. The District Attorney at that time was Bill Ritter. Prior to her employment with the District Attorney's Office she was the Public Information Officer for the Lakewood Police Department.

During the 2006 Colorado Gubernatorial race between Bill Ritter and Bob Beauprez, Kimbrough received and responded to numerous inquiries for information concerning policy issues, budgets or specific criminal cases prosecuted during Ritter's term as District Attorney. The inquiries primarily were received from the media, political watch groups, campaign officials and the general public. Typically, the requests came after one of the Campaigns ran a new political ad or someone mentioned in a speech a specific case or subject prosecuted by the District Attorney's Office. Kimbrough's procedure was to answer each inquiry the same and in accordance with the Colorado Open Records Act (CORA), the Criminal Justice Records Act, and the Rules of Professional Conduct as set by the State Supreme Court. The Criminal Justice Records Act allows the release of the charging documents, information on the defendant and the status of the case. The Act, for example, prohibits the release confidential information concerning sex assault victims and juveniles.

The issue of pleading defendants to Trespass on Agricultural Land came to the attention of the District Attorney's

Investigation on 11/19/2007 at Denver, Colorado

File # 58A-DN-65739

Date dictated \_\_\_\_\_

by SA John M Elvig

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Office as a broad question of whether it was a policy and how many times it had been used. Kimbrough was then contacted by Raj Chohan of KCNC Channel 4 and Adam Schragger of KUSA Channel 9, both making a request for information regarding the Ramos prosecution. They specifically wanted to know if Ramos and Estrada-Medina were the same person. Kimbrough believes that the inquiries concerning Ramos and Estrada-Medina came as a result of the television ad used by the Beauprez campaign. Either Chohan or Schragger referred her to a website to view the television ad that was driving their inquiries. She sensed that there was some urgency to their inquiries and wanted to answer them the best she could.

With a request about a case, Kimbrough typically would query the State of Colorado Judicial ICON system and probably the Blackstone system for information to determine if it was filed by the District Attorney's Office. Her normal response to an inquiry on a closed case was to release the probable cause statement from the charging document. The Ramos case was a closed case and she had the office working file pulled to review the case. After reviewing the working file and the results of her computer queries, she was unable to determine that Ramos and Estrada-Medina were the same person. She asked Deputy District Attorney Chuck Lepley for advice and guidance on how to determine if Ramos and Estrada-Medina were the same person. Lepley advised that a query of NCIC may help determine if they were the same person.

Kimbrough does not have access to NCIC. Lepley asked Brenda Wellington to run some "checks" on the names Ramos and Estrada-Medina. She doesn't recall Lepley showing her a document that was a criminal history for Ramos or Estrada-Medina. Lepley did tell her the record had the same FBI number for Ramos and Estrada-Medina.

Kimbrough telephonically contacted Chohan and Schragger concerning their inquiry. She gave them the facts of the Ramos case and the reasons for the plea agreement. She does not specifically recall telling them that Ramos and Estrada-Medina were the same person but believes she may have. She would not have had a reason to tell them that Ramos and Estrada-Medina had the same FBI number. A couple of employees from the District Attorney's Office were helping her locate case files for the media inquiries. It is not likely that she advised those employees that Ramos and Estrada-Medina were the same person.

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Kimbrough did receive "regular telephone calls" from Evan Dryer from the Ritter for Governor Campaign concerning specific cases including the plea bargaining issue. The Ritter Campaign made several requests during the course of the campaign, including requesting budget information during Ritter's tenure as the District Attorney and information on specific criminal cases. Kimbrough would have shared with Dryer or anyone associated with the Ritter Campaign, the same information she shared with reporters. She did not share with Dryer, Stephanie Villafuerte or any other member of the Ritter Campaign that Ramos and Estrada-Medina are the same person and that fact was verified using NCIC.

Kimbrough reviewed a hand-written call log she maintains. When she listens to her voice mail messages or receives a request, she "jots" down the name and number of the person and some very general information about their request. On October 10, 2006, her call log shows a call from Villafuerte that was probably from a voice mail message. No telephone number was listed and the name Carlos Estrada was written down. Kimbrough did not call Villafuerte back concerning the request and would have directed any response to Dryer.

Prior to receiving requests concerning the issue of plea bargaining illegal aliens to Trespass on Agricultural Land, Kimbrough was not aware of this plea bargaining policy. Kimbrough asked Greg Long, Chief Deputy District Attorney, about the policy. Long explained that the plea bargaining to Trespass on Agricultural Land was a tool used by the DA's Office. A guilty plea to the Trespass on Agricultural Land did not result in automatic deportation and allowed the illegal alien to "argue" in the Immigration Court their status.

Recently, Denver Post Reporter Karen Crummy has made a request of the District Attorney's Office for any internal correspondence mentioning Ritter. The request is for the period of September 1, 2006 and December 1, 2006.