

October 15, 2008

MEMORANDUM

TO: Chris Milner, Assistant District Attorney

FROM: Charles Sandoval

In Re: Suzanne Wooten

This memorandum is being prepared in an effort to assist you in your investigation of Suzanne Wooten. As often happens, particularly in white collar cases, the surrounding circumstances are more interesting than the actual criminal conduct. In addition, the circumstances provide context for the conduct.

In December 2007, as I was leaving a Christmas party, Michael Puhl approached me and said that he had received a call from a fellow in Austin named Steve Spencer. Mr. Spencer indicated that he was searching for a candidate to oppose me in the coming race. Mr. Puhl said that he was not interested but found it peculiar that someone from Austin was working on someone's behalf in this sort of a matter. I immediately knew who was behind the effort and have shared the name with you and Judge Roach. A few days later at a lawyer luncheon, Suzanne Wooten sat across from me and Judge Mason and told me that if I had heard rumors that she was running against me they were false. After Ms. Wooten filed, Judge Mason asked her at a candidate forum why she had filed against me having said she would not, and Ms. Wooten denied ever having made the statement. I only mention this because these events are indicative of Ms. Wooten's campaign - untruthful statements, misleading statements and subterfuge.

As the campaign developed, candidate forums were held. Ms. Wooten was always apologetic about her lack of accomplishments (she was only running because she believed in good government) and never had a negative word to say about me. Behind the scenes was another matter.

At the McKinney Republican Club forum, Steve Spencer made his first appearance. Ms. Wooten was absent (she usually did not attend forums) and he made a speech attacking me - nothing specific - just one implication after another that I was abusing my office. Mr. Spencer's second appearance, that I was aware of, was when he escorted Ms. Wooten to the Lincoln Day Dinner.

Ms. Wooten had no organization and no supporters of any substance. (To digress, but to make the point, on election night candidates have a victory party with all the workers invited to the party to watch the returns. According to John Roach, Jr., who happened to be in downtown McKinney with his wife that night, Ms. Wooten was alone in her office as the votes were being counted.

So, how did she do it? First of all, there was an electronic campaign conducted by several people. These e-mails, as you can imagine, lied about me and about her. I can give you the specifics, but the nutty sources ranged from a disgruntled non-profit operation in Lubbock to Bill Baumbach, former Democrat candidate for county

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commissioner who publishes the Collin County observer. If you google my name, you will find some examples of the sorts of things they had to say. These are the sorts of people Suzanne had on her side, together with a handful of marginal lawyers. They doubtless take credit for her victory, but my impression is that those people were of little help.

The real reason for Ms. Wooten's success was the radio advertising she did. And that brings us to the crime. She had continuous advertising on the most popular, hard-right talk shows. This was particularly cynical given the fact that Ms. Wooten was active in the Democratic party two years prior to this race. There were also ads run on the most popular morning and evening shows. Given the timing of the next-to-the-last campaign finance report, and the time those ads began, I believe her reports are false. Those ads require front money in order to be run, and those ads take time to prepare and line up for broadcast. The money, I believe, had to have been paid to the media prior to the reports that were filed reflecting no such payments.

You can see that Ms. Wooten reported a negligible amount of money in the first two reports. I believe that money was pledged in December and should have been reflected as a pledge early on. I also do not believe that it is a coincidence that Ms. Wooten spent \$60,000 and then in post-election fundraisers was able to raise exactly what she spent.

Naturally, I am available at any time you need me.