



**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Alabama Council for Excellent Government  
c/o CT Corporation System  
2 North Jackson Street  
Montgomery, Alabama 36104

Re: Impeachment Investigation of Governor Robert Bentley

Dear Sir or Madam:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

**Materials To Be Preserved**

Without in any way limiting the scope of our investigation, or the preservation obligation as described above, you should preserve evidence and information from the time period January 17, 2011 to present concerning any and all of the following:

- Governor Bentley's calendar and schedule, including meetings, appointments, calls, conferences, and travel
- Use of State aircraft

**COMMITTEE  
EXHIBIT**

1-A

- Investigation, indictment, prosecution, and trial of former Alabama Speaker of the House Mike Hubbard
- Spencer Collier
- Temporary or permanent removal, reassignment, or replacement of any Alabama Law Enforcement Agency ("ALEA") staff
- ALEA Dignitary Protection Unit
- Bentley for Governor, Inc.
- Alabama Council for Excellent Government ("ACEG")
- Rebekah Mason
- RCM Communications, LLC ("RCM")
- Jon Mason
- JRM Enterprises, Inc. ("JRM")
- Compensation, reimbursements, expenses, and payments of any kind to, by, between, or among the State, ACEG, Rebekah Mason, RCM, Jon Mason, JRM, and Bentley for Governor, Inc.
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- Campaign finance submissions and disclosures
- Submissions and disclosures to the Alabama Ethics Commission

Additionally, you should preserve all communications by, between, and among: Governor Bentley; any current or former members of Governor Bentley's Staff (including communications with any such individual after he or she left Governor Bentley's Staff); the Office of the Attorney General of Alabama; any Office of the United States Attorneys; the Alabama Department of Examiners of Public Accounts; the Alabama Department of Finance; the persons identified above; and any employees, agents, or representatives of any of the persons, organizations, companies, and entities identified above or in this paragraph.

### **Electronically-Stored Information**

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**Suspend Document-Retention and Document-Destruction Policies**

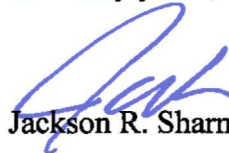
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With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1 HR367  
2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
4 Patterson, Hanes, Whorton (R), Holmes (M), Standridge, Moore  
5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
6 Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
7 Mooney  
8 RFD: Judiciary  
9 First Read: 28-APR-16

2  
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8 ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.  
9

10 WHEREAS, in 2010, Governor Bentley was elected the  
11 53rd Governor of the State of Alabama and was reelected to a  
12 second term in 2014; and

13 WHEREAS, Section 173 of the Constitution of Alabama  
14 of 1901 provides that the Governor and other constitutional  
15 officers of this state may be impeached upon the adoption of  
16 articles of impeachment by this body and upon trial by the  
17 Senate, acting as a court of impeachment; and

18 WHEREAS, two formal complaints have been filed with  
19 the Alabama Ethics Commission to determine whether Governor  
20 Bentley violated state ethics laws by misusing state property;  
21 and

22 WHEREAS, in recognition of the gravity of the  
23 adoption of these articles of impeachment and upon findings  
24 that Governor Bentley has violated the public trust, this body  
25 concludes Governor Bentley should be impeached for cause; now  
26 therefore,

1                   BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF  
2     THE LEGISLATURE OF ALABAMA, That Governor Bentley is impeached  
3     for cause and that the following articles of impeachment,  
4     based upon the findings in this resolution, be transmitted to  
5     the Senate for trial as provided in Section 173 of the  
6     Constitution of Alabama of 1901:

7                   ARTICLE I.

8                   Willful Neglect of Duty.

9                   Credible evidence exists to create probable cause to  
10    believe that, in his conduct while Governor of the State of  
11    Alabama, he willfully neglected his duty as Governor by  
12    failing to faithfully execute the laws of this state and by  
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14                  ARTICLE II.

15                  Corruption in Office.

16                  Credible evidence exists to create probable cause to  
17    believe that, in his conduct while Governor of the State of  
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**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Jennifer Ardis  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Ms. Ardis:

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Additionally, you should preserve all communications by, between, and among: Governor Bentley; any current or former members of Governor Bentley's Staff (including communications with any such individual after he or she left Governor Bentley's Staff); the Office of the Attorney General of Alabama; any Office of the United States Attorneys; the Alabama Department of Examiners of Public Accounts; the Alabama Department of Finance; the persons identified above; and any employees, agents, or representatives of any of the persons, organizations, companies, and entities identified above or in this paragraph.

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Sincerely yours,

  
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## JUDICIARY COMMITTEE

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July 25, 2016

Dianne Bentley

Re: Impeachment Investigation of Governor Robert Bentley

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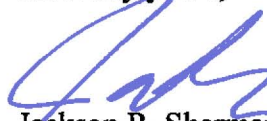
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14 ARTICLE II.

15 Corruption in Office.

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July 25, 2016

John Mark Bentley  
[REDACTED]

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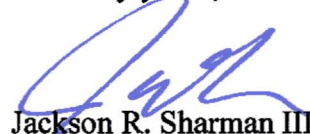
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WHEREAS, in recognition of the gravity of the adoption of these articles of impeachment and upon findings that Governor Bentley has violated the public trust, this body concludes Governor Bentley should be impeached for cause; now therefore,

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3     for cause and that the following articles of impeachment,  
4     based upon the findings in this resolution, be transmitted to  
5     the Senate for trial as provided in Section 173 of the  
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8           Willful Neglect of Duty.

9           Credible evidence exists to create probable cause to  
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11    Alabama, he willfully neglected his duty as Governor by  
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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Luke Bentley  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Bentley:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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1 - E



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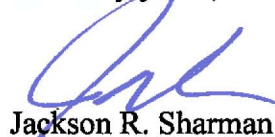
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With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
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5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
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8 RFD: Judiciary  
9 First Read: 28-APR-16

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# ALABAMA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

August 2, 2016

Matthew Bentley



Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Bentley:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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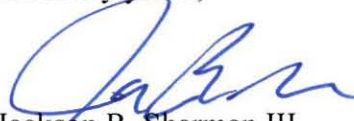
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With best wishes, I am

Sincerely yours,

  
Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Paul Bentley  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Bentley:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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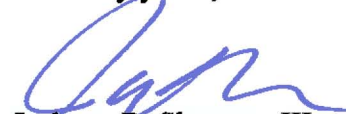
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## **ALABAMA HOUSE OF REPRESENTATIVES**

### **JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Bentley for Governor, Inc.  
c/o Algert S. Agricola, Jr., Esq.  
Ryals, Donaldson & Agricola, P.C.  
60 Commerce Street, Suite 1400  
Montgomery, Alabama 36104

Re: Impeachment Investigation of Governor Robert Bentley

Dear Sir or Madam:

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**Suspend Document-Retention and Document-Destruction Policies**

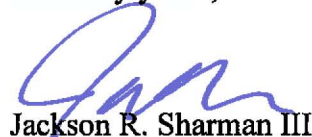
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With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1 HR367  
2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
4 Patterson, Hanes, Whorton (R), Holmes (M), Standridge, Moore  
5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
6 Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
7 Mooney  
8 RFD: Judiciary  
9 First Read: 28-APR-16



ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.

WHEREAS, in 2010, Governor Bentley was elected the 53rd Governor of the State of Alabama and was reelected to a second term in 2014; and

WHEREAS, Section 173 of the Constitution of Alabama of 1901 provides that the Governor and other constitutional officers of this state may be impeached upon the adoption of articles of impeachment by this body and upon trial by the Senate, acting as a court of impeachment; and

WHEREAS, two formal complaints have been filed with the Alabama Ethics Commission to determine whether Governor Bentley violated state ethics laws by misusing state property; and

WHEREAS, in recognition of the gravity of the adoption of these articles of impeachment and upon findings that Governor Bentley has violated the public trust, this body concludes Governor Bentley should be impeached for cause; now therefore,

1           BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF  
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4       based upon the findings in this resolution, be transmitted to  
5       the Senate for trial as provided in Section 173 of the  
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7           ARTICLE I.

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# ALABAMA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

August 2, 2016

Paul W. Bryant, Jr.

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Bryant:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

### **Materials To Be Preserved**

Without in any way limiting the scope of our investigation, or the preservation obligation as described above, you should preserve evidence and information from the time period January 17, 2011 to present concerning any and all of the following:

- Governor Bentley's calendar and schedule, including meetings, appointments, calls, conferences, and travel
- Use of State aircraft
- Investigation, indictment, prosecution, and trial of former Alabama Speaker of the House Mike Hubbard

**COMMITTEE  
EXHIBIT**

1-I

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- Temporary or permanent removal, reassignment, or replacement of any Alabama Law Enforcement Agency ("ALEA") staff
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- Compensation, reimbursements, expenses, and payments of any kind to, by, between, or among the State, Governor Robert Bentley, ACEG, Rebekah Mason, RCM, Jon Mason, JRM, and Bentley for Governor, Inc.
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- Campaign finance submissions and disclosures
- Submissions and disclosures to the Alabama Ethics Commission

Additionally, you should preserve all communications by, between, and among: Governor Bentley; any current or former members of Governor Bentley's Staff (including communications with any such individual after he or she left Governor Bentley's Staff); the Office of the Attorney General of Alabama; any Office of the United States Attorneys; the Alabama Department of Examiners of Public Accounts; the Alabama Department of Finance; the persons identified above; and any employees, agents, or representatives of any of the persons, organizations, companies, and entities identified above or in this paragraph.

### **Electronically-Stored Information**

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If any such evidence or information is in the possession or custody of a third party that is within your control, such as an attorney or accountant, you have the responsibility to inform and instruct the third party of this directive and obtain the third party's compliance.

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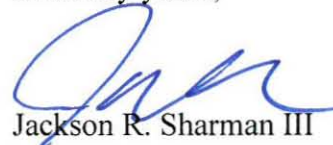
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With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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## ALABAMA HOUSE OF REPRESENTATIVES

### JUDICIARY COMMITTEE

**JACK SHARMAN**  
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LIGHTFOOT, FRANKLIN & WHITE LLC  
400 20TH STREET NORTH  
BIRMINGHAM, ALABAMA 35203

COMMITTEE  
EXHIBIT

1-J

July 25, 2016

David Byrne, Esq.  
Chief Legal Advisor  
Office of the Governor of Alabama  
State Capitol  
600 Dexter Avenue  
Montgomery, Alabama 36130  
*dbyrne@alabama.gov*

Ross H. Garber, Esq.  
Shipman & Goodwin LLP  
1875 K Street NW, Suite 600  
Washington, DC 20006-1251  
*rgarber@shipman.com*

Re: Impeachment Investigation of Governor Robert Bentley

Gentlemen:

My colleagues and I enjoyed meeting with you on Thursday and appreciate your perspective. I anticipate that we will be able to maintain a courteous, professional relationship throughout this process.

We understand that you represent the Officer of the Governor of Alabama, rather than Governor Bentley personally. If that understanding is incorrect, or if it changes, please let us know.

This letter is directed to you in your capacities as counsel for the Office of the Governor of Alabama. Accordingly, we request that you treat this letter as covering all functions of the Governor's Office and its Staff. Those functions include, but are not limited to, the Executive Office, Chief of Staff, Legal Office, Communications Office, Legislative Office, Constituent Services Office, Appointments Office, Policy Office, Administration Office, and the Governor's

Mansion. Reference to the "Governor's Office" below should be understood to include all of these functions and the people who carry them out.

### **Preservation of Evidence and Information**

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, the Governor's Office must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in its possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

Without in any way limiting the scope of our investigation, or the preservation obligation as described above, the Governor's Office should preserve evidence and information from the time period January 17, 2011 to present concerning any and all of the following:

- The Governor's calendar and schedule, including meetings, appointments, calls, conferences, and travel
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### **Third Parties**

If any such evidence or information is in the possession or custody of a third party that is within the immediate control of the Governor's Office, such as an attorney, accountant, consultant, or adviser, the Governor's Office has the responsibility to inform and instruct the third party of this directive and obtain the third party's compliance. We recognize the wide scope of the Governor's responsibilities; this request does not extend to State departments or agencies other than the Governor's Office. We will send similar letters to the heads of State departments and agencies that we believe may have pertinent information.

### **Suspend Document-Destruction Policies**

In light of the preservation obligation, the Governor's Office should immediately suspend all document-destruction policies or practices. This requirement includes, but is not limited to, document shredding; overwriting of any electronic data (especially on the e-mail and system servers that support your local workstation on local workstations); the regularly scheduled destruction of any back-up media; tape rotations on back-up servers; re-imaging of computer drives; exchanges of drive hardware; the sale, gift or destruction of computer systems and servers; and any upkeep activities like disc de-fragmentation and maintenance routines. We are open to discussing reinstatement of such policies or practices after the Governor's Office's anticipated cooperation with our forthcoming document requests.

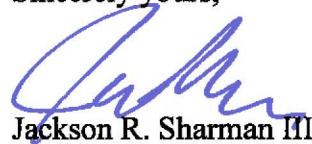
David Byrne, Esq.  
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July 25, 2016  
Page 4

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With best wishes, I am

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Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

J. Spencer Collier  
c/o Kenneth J. Mendelsohn, Esq.  
Jemison & Mendelsohn, P.C.  
1772 Platt Place  
Montgomery, Alabama 36117

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Collier:

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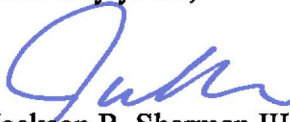
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**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Marquita Davis  
Director, Alabama Council for Excellent Government



Re: Impeachment Investigation of Governor Robert Bentley

Dear Ms. Davis:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

**Materials To Be Preserved**

Without in any way limiting the scope of our investigation, or the preservation obligation as described above, you should preserve evidence and information from the time period January 17, 2011 to present concerning any and all of the following:

- Governor Bentley's calendar and schedule, including meetings, appointments, calls, conferences, and travel
- Use of State aircraft

**COMMITTEE**  
**EXHIBIT**

1-L

- Investigation, indictment, prosecution, and trial of former Alabama Speaker of the House Mike Hubbard
- Spencer Collier
- Temporary or permanent removal, reassignment, or replacement of any Alabama Law Enforcement Agency ("ALEA") staff
- ALEA Dignitary Protection Unit
- Bentley for Governor, Inc.
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- Rebekah Mason
- RCM Communications, LLC ("RCM")
- Jon Mason
- JRM Enterprises, Inc. ("JRM")
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- Dianne Bentley
- Campaign finance submissions and disclosures
- Submissions and disclosures to the Alabama Ethics Commission

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#### **Electronically-Stored Information**

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#### **Third Parties Under Your Control**

If any such evidence or information is in the possession or custody of a third party that is within your control, such as an attorney or accountant, you have the responsibility to inform and instruct the third party of this directive and obtain the third party's compliance.

**Organizations of Which You Are An Agent, Officer, Director, Employee,  
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**Suspend Document-Retention and Document-Destruction Policies**


If such agency, business, entity, or organization has any document-retention or document-destruction policies or practices, they must be suspended with respect any potential evidence or information. This requirement includes, but is not limited to, document shredding; overwriting of any electronic data (especially on the e-mail and system servers that support your local workstation on local workstations); the regularly scheduled destruction of any back-up media; tape rotations on back-up servers; re-imaging of computer drives; exchanges of drive hardware; the sale, gift or destruction of computer systems and servers; and any upkeep activities like disc de-fragmentation and maintenance routines.

**Penalties for Non-Compliance**

Failure to preserve such items, or alteration of requested documents, will be taken seriously, including considered for referral for prosecution to relevant law enforcement authorities. See Ala. Code §§ 13A-10-2; 13A-10-3; 13A-10-12; and 13A-10-129.

With best wishes, I am

Sincerely yours,

  
Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1 HR367  
2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
4 Patterson, Hanes, Whorton (R), Holmes (M), Standridge, Moore  
5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
6 Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
7 Mooney  
8 RFD: Judiciary  
9 First Read: 28-APR-16



8 ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.  
9

10 WHEREAS, in 2010, Governor Bentley was elected the  
11 53rd Governor of the State of Alabama and was reelected to a  
12 second term in 2014; and

13 WHEREAS, Section 173 of the Constitution of Alabama  
14 of 1901 provides that the Governor and other constitutional  
15 officers of this state may be impeached upon the adoption of  
16 articles of impeachment by this body and upon trial by the  
17 Senate, acting as a court of impeachment; and

18 WHEREAS, two formal complaints have been filed with  
19 the Alabama Ethics Commission to determine whether Governor  
20 Bentley violated state ethics laws by misusing state property;  
21 and

22 WHEREAS, in recognition of the gravity of the  
23 adoption of these articles of impeachment and upon findings  
24 that Governor Bentley has violated the public trust, this body  
25 concludes Governor Bentley should be impeached for cause; now  
26 therefore,

1           BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF  
2       THE LEGISLATURE OF ALABAMA, That Governor Bentley is impeached  
3       for cause and that the following articles of impeachment,  
4       based upon the findings in this resolution, be transmitted to  
5       the Senate for trial as provided in Section 173 of the  
6       Constitution of Alabama of 1901:

7           ARTICLE I.

8           Willful Neglect of Duty.

9           Credible evidence exists to create probable cause to  
10       believe that, in his conduct while Governor of the State of  
11       Alabama, he willfully neglected his duty as Governor by  
12       failing to faithfully execute the laws of this state and by  
13       refusing to perform his constitutional and statutory duties.

14          ARTICLE II.

15          Corruption in Office.

16          Credible evidence exists to create probable cause to  
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## **ALABAMA HOUSE OF REPRESENTATIVES**

### **JUDICIARY COMMITTEE**

**JACK SHARMAN  
SPECIAL COUNSEL  
LIGHTFOOT, FRANKLIN & WHITE LLC  
400 20TH STREET NORTH  
BIRMINGHAM, ALABAMA 35203**

August 2, 2016

Michael H. Echols  
Michael H Echols & Associates  
1629 McFarland Blvd North, Suite 401  
Tuscaloosa, Alabama 35406

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Echols:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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**Suspend Document-Retention and Document-Destruction Policies**

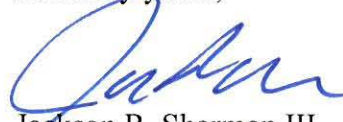
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With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
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8 ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.

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10 WHEREAS, in 2010, Governor Bentley was elected the  
11 53rd Governor of the State of Alabama and was reelected to a  
12 second term in 2014; and

13 WHEREAS, Section 173 of the Constitution of Alabama  
14 of 1901 provides that the Governor and other constitutional  
15 officers of this state may be impeached upon the adoption of  
16 articles of impeachment by this body and upon trial by the  
17 Senate, acting as a court of impeachment; and

18 WHEREAS, two formal complaints have been filed with  
19 the Alabama Ethics Commission to determine whether Governor  
20 Bentley violated state ethics laws by misusing state property;  
21 and

22 WHEREAS, in recognition of the gravity of the  
23 adoption of these articles of impeachment and upon findings  
24 that Governor Bentley has violated the public trust, this body  
25 concludes Governor Bentley should be impeached for cause; now  
26 therefore,



1           BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF  
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7           ARTICLE I.

8           Willful Neglect of Duty.

9           Credible evidence exists to create probable cause to  
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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Joseph C. Espy, III, Esq.  
Melton, Espy & Williams, P.C.  
255 Dexter Avenue  
Montgomery, AL 36104  
*jespy@mewlegal.com*

Re: Impeachment Investigation of Governor Robert Bentley

Dear Joe:

My colleagues and I enjoyed talking with you on Thursday and appreciate your perspective. I anticipate we will be able to maintain a courteous, professional relationship throughout this process.

This letter is directed to you as counsel for Governor Robert Bentley in his individual or personal capacity. I am separately sending to David Byrne and Ross Garber as counsel for the Office of Alabama Governor a similar letter covering the Governor's Office and Staff.

**Preservation of Evidence and Information**

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, Governor Bentley must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing

**COMMITTEE  
EXHIBIT**

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evidence or information in its possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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Joseph C. Espy, III, Esq.  
July 25, 2016  
Page 4

With best wishes, I am

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Enclosure

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## ALABAMA HOUSE OF REPRESENTATIVES

### JUDICIARY COMMITTEE

**JACK SHARMAN**  
SPECIAL COUNSEL  
LIGHTFOOT, FRANKLIN & WHITE LLC  
400 20TH STREET NORTH  
BIRMINGHAM, ALABAMA 35203

COMMITTEE  
EXHIBIT

1-0

July 25, 2016

David Byrne, Esq.  
Chief Legal Advisor  
Office of the Governor of Alabama  
State Capitol  
600 Dexter Avenue  
Montgomery, Alabama 36130  
[dbyrne@alabama.gov](mailto:dbyrne@alabama.gov)

Ross H. Garber, Esq.  
Shipman & Goodwin LLP  
1875 K Street NW, Suite 600  
Washington, DC 20006-1251  
[rgarber@shipman.com](mailto:rgarber@shipman.com)

Re: Impeachment Investigation of Governor Robert Bentley

Gentlemen:

My colleagues and I enjoyed meeting with you on Thursday and appreciate your perspective. I anticipate that we will be able to maintain a courteous, professional relationship throughout this process.

We understand that you represent the Officer of the Governor of Alabama, rather than Governor Bentley personally. If that understanding is incorrect, or if it changes, please let us know.

This letter is directed to you in your capacities as counsel for the Office of the Governor of Alabama. Accordingly, we request that you treat this letter as covering all functions of the Governor's Office and its Staff. Those functions include, but are not limited to, the Executive Office, Chief of Staff, Legal Office, Communications Office, Legislative Office, Constituent Services Office, Appointments Office, Policy Office, Administration Office, and the Governor's

Mansion. Reference to the "Governor's Office" below should be understood to include all of these functions and the people who carry them out.

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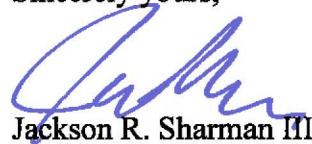
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July 25, 2016  
Page 4

**Penalties for Non-Compliance**

Failure to preserve such items, or alteration of documents, will be taken seriously and may be referred for prosecution to relevant law enforcement authorities. *See* Ala. Code §§ 13A-10-2; 13A-10-3; 13A-10-12; and 13A-10-129.

With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1 HR367  
2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
4 Patterson, Hanes, Whorton (R), Holmes (M), Standridge, Moore  
5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
6 Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
7 Mooney  
8 RFD: Judiciary  
9 First Read: 28-APR-16

8 ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.  
9

10 WHEREAS, in 2010, Governor Bentley was elected the  
11 53rd Governor of the State of Alabama and was reelected to a  
12 second term in 2014; and

13 WHEREAS, Section 173 of the Constitution of Alabama  
14 of 1901 provides that the Governor and other constitutional  
15 officers of this state may be impeached upon the adoption of  
16 articles of impeachment by this body and upon trial by the  
17 Senate, acting as a court of impeachment; and

18 WHEREAS, two formal complaints have been filed with  
19 the Alabama Ethics Commission to determine whether Governor  
20 Bentley violated state ethics laws by misusing state property;  
21 and

22 WHEREAS, in recognition of the gravity of the  
23 adoption of these articles of impeachment and upon findings  
24 that Governor Bentley has violated the public trust, this body  
25 concludes Governor Bentley should be impeached for cause; now  
26 therefore,



1           BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF  
2       THE LEGISLATURE OF ALABAMA, That Governor Bentley is impeached  
3       for cause and that the following articles of impeachment,  
4       based upon the findings in this resolution, be transmitted to  
5       the Senate for trial as provided in Section 173 of the  
6       Constitution of Alabama of 1901:

7           ARTICLE I.

8           Willful Neglect of Duty.

9           Credible evidence exists to create probable cause to  
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11       Alabama, he willfully neglected his duty as Governor by  
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15          Corruption in Office.

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20       promote his own personal agenda.



**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

August 3, 2016

Heath Garrett  
Garrett McNatt Hennessey Carpenter 360 LLC  
3625 Cumberland BLVD  
Suite 950  
Atlanta, Georgia 30339

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Garrett:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

**Materials To Be Preserved**

Without in any way limiting the scope of our investigation, or the preservation obligation as described above, you should preserve evidence and information from the time period January 17, 2011 to present concerning any and all of the following:

- Governor Bentley's calendar and schedule, including meetings, appointments, calls, conferences, and travel
- Use of State aircraft

**COMMITTEE  
EXHIBIT**

1-P

- Investigation, indictment, prosecution, and trial of former Alabama Speaker of the House Mike Hubbard
- Spencer Collier
- Temporary or permanent removal, reassignment, or replacement of any Alabama Law Enforcement Agency ("ALEA") staff
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- Alabama Council for Excellent Government ("ACEG")
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- RCM Communications, LLC ("RCM")
- Jon Mason
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Additionally, you should preserve all communications by, between, and among: Governor Bentley; any current or former members of Governor Bentley's Staff (including communications with any such individual after he or she left Governor Bentley's Staff); the Office of the Attorney General of Alabama; any Office of the United States Attorneys; the Alabama Department of Examiners of Public Accounts; the Alabama Department of Finance; the persons identified above; and any employees, agents, or representatives of any of the persons, organizations, companies, and entities identified above or in this paragraph.

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If any such evidence or information is in the possession or custody of a third party that is within your control, such as an attorney or accountant, you have the responsibility to inform and instruct the third party of this directive and obtain the third party's compliance.

**Organizations of Which You Are An Agent, Officer, Director, Employee,  
Representative or Document Custodian**

If any such evidence or information is in the possession or custody of any business, agency, political body, political campaign, political action committee, entity, or organization of which you are an employee, officer, director, member, agent, or representative, you must immediately take steps to ensure that such business, entity, or organization preserves the same. If any other employees, officers, directors, members, agents, or representatives (including third parties such as attorneys and accountants) of the business, entity, or organization has possession, custody, or control of such evidence or information, you must inform and instruct him, her, or it to preserve it.

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If such agency, business, entity, or organization has any document-retention or document-destruction policies or practices, they must be suspended with respect any potential evidence or information. This requirement includes, but is not limited to, document shredding; overwriting of any electronic data (especially on the e-mail and system servers that support your local workstation on local workstations); the regularly scheduled destruction of any back-up media; tape rotations on back-up servers; re-imaging of computer drives; exchanges of drive hardware; the sale, gift or destruction of computer systems and servers; and any upkeep activities like disc de-fragmentation and maintenance routines.

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Failure to preserve such items, or alteration of requested documents, will be taken seriously, including considered for referral for prosecution to relevant law enforcement authorities. See Ala. Code §§ 13A-10-2; 13A-10-3; 13A-10-12; and 13A-10-129.

With best wishes, I am

Sincerely yours,

  
Jack Sharman

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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2 176360-2  
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8 RFD: Judiciary  
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18 WHEREAS, two formal complaints have been filed with  
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22 WHEREAS, in recognition of the gravity of the  
23 adoption of these articles of impeachment and upon findings  
24 that Governor Bentley has violated the public trust, this body  
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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Camilla Gibson

Re: Impeachment Investigation of Governor Robert Bentley

Dear Ms. Gibson:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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- Investigation, indictment, prosecution, and trial of former Alabama Speaker of the House Mike Hubbard

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1-Q

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- Campaign finance submissions and disclosures
- Submissions and disclosures to the Alabama Ethics Commission

Additionally, you should preserve all communications by, between, and among: Governor Bentley; any current or former members of Governor Bentley's Staff (including communications with any such individual after he or she left Governor Bentley's Staff); the Office of the Attorney General of Alabama; any Office of the United States Attorneys; the Alabama Department of Examiners of Public Accounts; the Alabama Department of Finance; the persons identified above; and any employees, agents, or representatives of any of the persons, organizations, companies, and entities identified above or in this paragraph.

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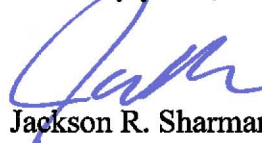
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With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

William Patton Gray, Jr., Esq.  
Douglas N. Robertson, Esq.  
Gray & Associates, L.L.C.  
3800 Colonnade Parkway, Suite 350  
Birmingham, Alabama 35243

Re: Impeachment Investigation of Governor Robert Bentley

Gentlemen:

Enclosed is correspondence to Rebekah Mason, whom you represent in the case styled *Collier v. Bentley et al.* in the Circuit Court of Montgomery County, Alabama. The correspondence concerns Mrs. Mason's preservation obligations in connection with the Impeachment Investigation of Governor Robert Bentley. I send this letter to you as a professional courtesy and with the expectation that you will forward it to Mrs. Mason. If you do not represent Mrs. Mason in connection with this matter, or if you prefer that I communicate directly with her, please let me know immediately.

With best wishes, I am

Sincerely yours,

A handwritten signature in blue ink, appearing to read "J. Sharman III".

Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Robert D. Segall, Esq.

**COMMITTEE  
EXHIBIT**

1-R





# **ALABAMA HOUSE OF REPRESENTATIVES**

## **JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Rebekah Mason  
c/o William Patton Gray, Jr.  
Douglas N. Robertson  
Gray & Associates, L.L.C.  
3800 Colonnade Parkway, Suite 350  
Birmingham, Alabama 35243

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mrs. Mason:

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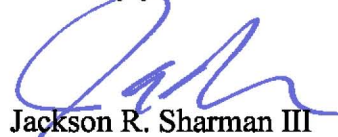
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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

The Honorable Seth Hammett  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Hammett:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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1-S



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- ALEA Dignitary Protection Unit
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With best wishes, I am

Sincerely yours,

  
Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1 HR367  
2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
4 Patterson, Hanes, Whorton (R), Holmes (M), Standridge, Moore  
5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
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8 RFD: Judiciary  
9 First Read: 28-APR-16

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8 ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.  
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10 WHEREAS, in 2010, Governor Bentley was elected the  
11 53rd Governor of the State of Alabama and was reelected to a  
12 second term in 2014; and

13 WHEREAS, Section 173 of the Constitution of Alabama  
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15 officers of this state may be impeached upon the adoption of  
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17 Senate, acting as a court of impeachment; and

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22 WHEREAS, in recognition of the gravity of the  
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7           ARTICLE I.

8           Willful Neglect of Duty.

9           Credible evidence exists to create probable cause to  
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14          ARTICLE II.

15          Corruption in Office.

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## **ALABAMA HOUSE OF REPRESENTATIVES**

### **JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

August 5, 2016

Elizabeth Blake Hale Hardwich  
Adams & Reese, LLP  
1901 6<sup>th</sup> Avenue North, Suite 3000  
Birmingham, Alabama 35203

Re: Impeachment Investigation of Governor Robert Bentley

Dear Ms. Hardwich:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

#### **Materials To Be Preserved**

Without in any way limiting the scope of our investigation, or the preservation obligation as described above, you should preserve evidence and information from the time period January 17, 2011 to present concerning any and all of the following:

- Governor Bentley's calendar and schedule, including meetings, appointments, calls, conferences, and travel
- Use of State aircraft

**COMMITTEE  
EXHIBIT**

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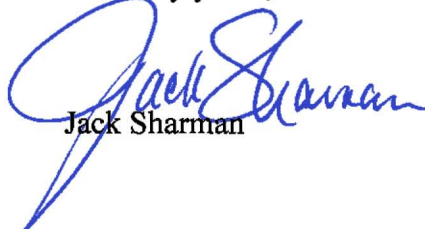
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With best wishes, I am

Sincerely yours,

  
Jack Sharman

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Merritt Hays  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Ms. Hays:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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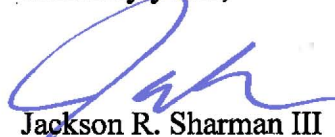
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Jackson R. Sharman III

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**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

James Edward Howell

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Howell:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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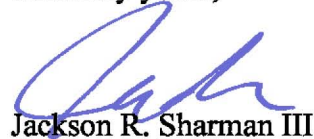
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18    Alabama, he unlawfully misused state property, misappropriated  
19    state resources, and consistently acted in violation of law to  
20    promote his own personal agenda.



**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

J.T. Jenkins  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Jenkins:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

**Materials To Be Preserved**

Without in any way limiting the scope of our investigation, or the preservation obligation as described above, you should preserve evidence and information from the time period January 17, 2011 to present concerning any and all of the following:

- Governor Bentley's calendar and schedule, including meetings, appointments, calls, conferences, and travel
- Use of State aircraft
- Investigation, indictment, prosecution, and trial of former Alabama Speaker of the House Mike Hubbard

**COMMITTEE**  
**EXHIBIT**

1-W

- Spencer Collier
- Temporary or permanent removal, reassignment, or replacement of any Alabama Law Enforcement Agency (“ALEA”) staff
- ALEA Dignitary Protection Unit
- Bentley for Governor, Inc.
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- Submissions and disclosures to the Alabama Ethics Commission

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**Suspend Document-Retention and Document-Destruction Policies**

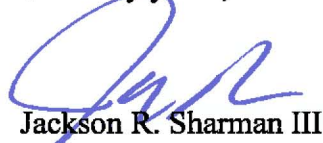
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With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1 HR367  
2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
4 Patterson, Hanes, Whorton (R), Holmes (M), Standridge, Moore  
5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
6 Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
7 Mooney  
8 RFD: Judiciary  
9 First Read: 28-APR-16

2  
3  
4  
5  
6  
7  
8 .ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.  
9

10 WHEREAS, in 2010, Governor Bentley was elected the  
11 53rd Governor of the State of Alabama and was reelected to a  
12 second term in 2014; and

13 WHEREAS, Section 173 of the Constitution of Alabama  
14 of 1901 provides that the Governor and other constitutional  
15 officers of this state may be impeached upon the adoption of  
16 articles of impeachment by this body and upon trial by the  
17 Senate, acting as a court of impeachment; and

18 WHEREAS, two formal complaints have been filed with  
19 the Alabama Ethics Commission to determine whether Governor  
20 Bentley violated state ethics laws by misusing state property;  
21 and

22 WHEREAS, in recognition of the gravity of the  
23 adoption of these articles of impeachment and upon findings  
24 that Governor Bentley has violated the public trust, this body  
25 concludes Governor Bentley should be impeached for cause; now  
26 therefore,



1           BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF  
2     THE LEGISLATURE OF ALABAMA, That Governor Bentley is impeached  
3     for cause and that the following articles of impeachment,  
4     based upon the findings in this resolution, be transmitted to  
5     the Senate for trial as provided in Section 173 of the  
6     Constitution of Alabama of 1901:

7           ARTICLE I.

8           Willful Neglect of Duty.

9           Credible evidence exists to create probable cause to  
10    believe that, in his conduct while Governor of the State of  
11    Alabama, he willfully neglected his duty as Governor by  
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14          ARTICLE II.

15          Corruption in Office.

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## ALABAMA HOUSE OF REPRESENTATIVES

### JUDICIARY COMMITTEE

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

August 19, 2016

JRM Enterprises, Inc.  
c/o Jonathan Mason  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Mason:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

#### Materials To Be Preserved

Without in any way limiting the scope of our investigation, or the preservation obligation as described above, you should preserve evidence and information from the time period January 17, 2011 to present concerning any and all of the following:

- Governor Bentley's calendar and schedule, including meetings, appointments, calls, conferences, and travel
- Use of State aircraft

**COMMITTEE  
EXHIBIT**

1-X

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- Temporary or permanent removal, reassignment, or replacement of any Alabama Law Enforcement Agency ("ALEA") staff
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- Bentley for Governor, Inc.
- Alabama Council for Excellent Government ("ACEG")
- Rebekah Mason
- RCM Communications, LLC ("RCM")
- Jon Mason
- JRM Enterprises, Inc. ("JRM")
- Compensation, reimbursements, expenses, and payments of any kind to, by, between, or among the State, ACEG, Rebekah Mason, RCM, Jon Mason, JRM, and Bentley for Governor, Inc.
- Dianne Bentley
- Campaign finance submissions and disclosures
- Submissions and disclosures to the Alabama Ethics Commission

Additionally, you should preserve all communications by, between, and among: Governor Bentley; any current or former members of Governor Bentley's Staff (including communications with any such individual after he or she left Governor Bentley's Staff); the Office of the Attorney General of Alabama; any Office of the United States Attorneys; the Alabama Department of Examiners of Public Accounts; the Alabama Department of Finance; the persons identified above; and any employees, agents, or representatives of any of the persons, organizations, companies, and entities identified above or in this paragraph.

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**Suspend Document-Retention and Document-Destruction Policies**

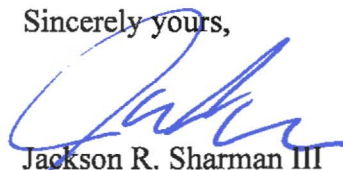
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**Penalties for Non-Compliance**

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With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1       HR367  
2       176360-2  
3       By Representatives Henry, Whorton (I), Sessions, Ball,  
4       Patterson, Hanes, Whorton (R), Holmes (M), Standridge, Moore  
5       (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
6       Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
7       Mooney  
8       RFD: Judiciary  
9       First Read: 28-APR-16

8 ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.  
9

10 WHEREAS, in 2010, Governor Bentley was elected the  
11 53rd Governor of the State of Alabama and was reelected to a  
12 second term in 2014; and

13 WHEREAS, Section 173 of the Constitution of Alabama  
14 of 1901 provides that the Governor and other constitutional  
15 officers of this state may be impeached upon the adoption of  
16 articles of impeachment by this body and upon trial by the  
17 Senate, acting as a court of impeachment; and

18 WHEREAS, two formal complaints have been filed with  
19 the Alabama Ethics Commission to determine whether Governor  
20 Bentley violated state ethics laws by misusing state property;  
21 and

22 WHEREAS, in recognition of the gravity of the  
23 adoption of these articles of impeachment and upon findings  
24 that Governor Bentley has violated the public trust, this body  
25 concludes Governor Bentley should be impeached for cause; now  
26 therefore,

1                   BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF  
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3       for cause and that the following articles of impeachment,  
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7                   ARTICLE I.

8                   Willful Neglect of Duty.

9                   Credible evidence exists to create probable cause to  
10       believe that, in his conduct while Governor of the State of  
11       Alabama, he willfully neglected his duty as Governor by  
12       failing to faithfully execute the laws of this state and by  
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14                  ARTICLE II.

15                  Corruption in Office.

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17       believe that, in his conduct while Governor of the State of  
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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

August 3, 2016

Wanda Kelly  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Ms. Kelly:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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**COMMITTEE  
EXHIBIT**

1-Y

- Spencer Collier
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With best wishes, I am

Sincerely yours,

  
Jack Sharman

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
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5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
6 Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
7 Mooney  
8 RFD: Judiciary  
9 First Read: 28-APR-16

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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Wendell Ray Lewis  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Lewis:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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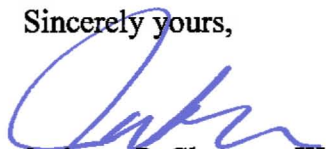
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With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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8 RFD: Judiciary  
9 First Read: 28-APR-16

8 ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.  
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18 WHEREAS, two formal complaints have been filed with  
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8           Willful Neglect of Duty.

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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 28, 2016

The Honorable Charles R. Malone



Re: Impeachment Investigation of Governor Robert Bentley

Dear Judge Malone:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

**Materials To Be Preserved**

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- Governor Bentley's calendar and schedule, including meetings, appointments, calls, conferences, and travel
- Use of State aircraft
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**COMMITTEE  
EXHIBIT**

1-AA



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Additionally, you should preserve all communications by, between, and among: Governor Bentley; any current or former members of Governor Bentley's Staff (including communications with any such individual after he or she left Governor Bentley's Staff); the Office of the Attorney General of Alabama; any Office of the United States Attorneys; the Alabama Department of Examiners of Public Accounts; the Alabama Department of Finance; the persons identified above; and any employees, agents, or representatives of any of the persons, organizations, companies, and entities identified above or in this paragraph.

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If such agency, business, entity, or organization has any document-retention or document-destruction policies or practices, they must be suspended with respect any potential evidence or information. This requirement includes, but is not limited to, document shredding; overwriting of any electronic data (especially on the e-mail and system servers that support your local workstation on local workstations); the regularly scheduled destruction of any back-up media; tape rotations on back-up servers; re-imaging of computer drives; exchanges of drive hardware; the sale, gift or destruction of computer systems and servers; and any upkeep activities like disc de-fragmentation and maintenance routines.

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Failure to preserve such items, or alteration of requested documents, will be taken seriously, including considered for referral for prosecution to relevant law enforcement authorities. *See* Ala. Code §§ 13A-10-2; 13A-10-3; 13A-10-12; and 13A-10-129.

With best wishes, I am

Sincerely yours,

  
Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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2 176360-2  
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**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Jon Mason  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Mason:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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- Compensation, reimbursements, expenses, and payments of any kind to, by, between, or among the State, ACEG, Rebekah Mason, RCM, Jon Mason, JRM, and Bentley for Governor, Inc.
- Dianne Bentley
- Campaign finance submissions and disclosures
- Submissions and disclosures to the Alabama Ethics Commission

Additionally, you should preserve all communications by, between, and among: Governor Bentley; Rebekah Mason; any current or former members of Governor Bentley's Staff (including communications with any such individual after he or she left Governor Bentley's Staff); the Office of the Attorney General of Alabama; any Office of the United States Attorneys; the Alabama Department of Examiners of Public Accounts; the Alabama Department of Finance; the persons identified above; and any employees, agents, or representatives of any of the persons, organizations, companies, and entities identified above or in this paragraph.

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With best wishes, I am

Sincerely yours,

  
Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure



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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Kenneth J. Mendelsohn, Esq.  
Jemison & Mendelsohn, P.C.  
1772 Platt Place  
Montgomery, Alabama 36117

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Mendelsohn:

Enclosed is correspondence to J. Spencer Collier, whom you represent in the case styled *Collier v. Bentley et al.* in the Circuit Court of Montgomery County, Alabama. The correspondence concerns Mr. Collier's preservation obligations in connection with the Impeachment Investigation of Governor Robert Bentley. I send this letter to you as a professional courtesy and with the expectation that you will forward it to Mr. Collier. If you do not represent Mr. Collier in connection with this matter, or if you prefer that I communicate directly with Mr. Collier, please let me know immediately.

With best wishes, I am

Sincerely yours,

A handwritten signature in blue ink, appearing to read "J. Sharman".

Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

**COMMITTEE  
EXHIBIT**  
1-CC



# **ALABAMA HOUSE OF REPRESENTATIVES**

## **JUDICIARY COMMITTEE**

**JACK SHARMAN**  
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**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

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c/o Kenneth J. Mendelsohn, Esq.  
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1772 Platt Place  
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Dear Mr. Collier:

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# ALABAMA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

**JACK SHARMAN**  
SPECIAL COUNSEL  
LIGHTFOOT, FRANKLIN & WHITE LLC  
400 20TH STREET NORTH  
BIRMINGHAM, ALABAMA 35203

July 25, 2016

David Perry  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Perry:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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**Suspend Document-Retention and Document-Destruction Policies**

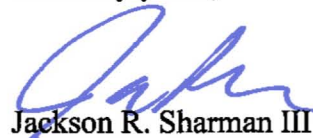
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With best wishes, I am

Sincerely yours,

  
Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1 HR367  
2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
4 Patterson, Hanes, Whorton (R), Holmes (M), Standridge, Moore  
5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
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8 RFD: Judiciary  
9 First Read: 28-APR-16



2  
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8 ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.  
9

10 WHEREAS, in 2010, Governor Bentley was elected the  
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8 Willful Neglect of Duty.

9 Credible evidence exists to create probable cause to  
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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

August 3, 2016

Clayton Ryan  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Ryan:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

**Materials To Be Preserved**

Without in any way limiting the scope of our investigation, or the preservation obligation as described above, you should preserve evidence and information from the time period January 17, 2011 to present concerning any and all of the following:

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**COMMITTEE  
EXHIBIT**

1-EE

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- Jon Mason
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- Compensation, reimbursements, expenses, and payments of any kind to, by, between, or among the State, Governor Robert Bentley, ACEG, Rebekah Mason, RCM, Jon Mason, JRM, and Bentley for Governor, Inc.
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With best wishes, I am

Sincerely yours,

  
Jack Sharman

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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2 176360-2  
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9 First Read: 28-APR-16

ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.

WHEREAS, in 2010, Governor Bentley was elected the 53rd Governor of the State of Alabama and was reelected to a second term in 2014; and

WHEREAS, Section 173 of the Constitution of Alabama of 1901 provides that the Governor and other constitutional officers of this state may be impeached upon the adoption of articles of impeachment by this body and upon trial by the Senate, acting as a court of impeachment; and

WHEREAS, two formal complaints have been filed with the Alabama Ethics Commission to determine whether Governor Bentley violated state ethics laws by misusing state property; and

WHEREAS, in recognition of the gravity of the adoption of these articles of impeachment and upon findings that Governor Bentley has violated the public trust, this body concludes Governor Bentley should be impeached for cause; now therefore,



1                   BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF  
2     THE LEGISLATURE OF ALABAMA, That Governor Bentley is impeached  
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7                   ARTICLE I.

8                   Willful Neglect of Duty.

9                   Credible evidence exists to create probable cause to  
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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Robert D. Segall, Esq.  
Copeland, Franco, Screws & Gill  
P.O. Box 347  
Montgomery, Alabama 36101

Re: Impeachment Investigation of Governor Robert Bentley

Dear Bobby:

Enclosed is correspondence to RCM Communications, Inc., whom you represent in the case styled *Collier v. Bentley et al.* in the Circuit Court of Montgomery County, Alabama. The correspondence concerns RCM Communications' preservation obligations in connection with the Impeachment Investigation of Governor Robert Bentley. I send this letter to you as a professional courtesy and with the expectation that you will forward it to RCM Communications. If you do not represent RCM Communications in connection with this matter, or if you prefer that I communicate directly with RCM Communications, please let me know immediately.

With best wishes, I am

Sincerely yours,

A handwritten signature in blue ink, appearing to read "J. Sharman".

Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

**COMMITTEE**  
**EXHIBIT**

1 - FF



# **ALABAMA HOUSE OF REPRESENTATIVES**

## **JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

RCM Communications, Inc.  
c/o Robert D. Segall, Esq.  
Copeland, Franco, Screws & Gill  
P.O. Box 347  
Montgomery, Alabama 36101

Re: Impeachment Investigation of Governor Robert Bentley

Dear Sir or Madam:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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Jackson R. Sharman III

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Copeland, Franco, Screws & Gill  
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19    state resources, and consistently acted in violation of law to  
20    promote his own personal agenda.





**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

The Honorable Jon Mason  
Director  
Serve Alabama  
Eight Commerce Street, 10th Floor  
Montgomery, Alabama 36104

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Mason:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, Serve Alabama must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

**Materials To Be Preserved**

Without in any way limiting the scope of our investigation, or the preservation obligation as described above, Serve Alabama should preserve evidence and information from the time period January 17, 2011 to present concerning any and all of the following:

- Governor Bentley's calendar and schedule, including meetings, appointments, calls, conferences, and travel
- Use of State aircraft

**COMMITTEE  
EXHIBIT**

1-GG

- Investigation, indictment, prosecution, and trial of former Alabama Speaker of the House Mike Hubbard
- Spencer Collier
- Temporary or permanent removal, reassignment, or replacement of any Alabama Law Enforcement Agency ("ALEA") staff
- ALEA Dignitary Protection Unit
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- Campaign finance submissions and disclosures
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Additionally, Serve Alabama should preserve all communications by, between, and among: Governor Bentley; any current or former members of Governor Bentley's Staff (including communications with any such individual after he or she left Governor Bentley's Staff); the Office of the Attorney General of Alabama; any Office of the United States Attorneys; the Alabama Department of Examiners of Public Accounts; the Alabama Department of Finance; the persons identified above; and any employees, agents, or representatives of any of the persons, organizations, companies, and entities identified above or in this paragraph.

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#### **Third Parties Under Your Control**

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**Suspend Document-Retention and Document-Destruction Policies**

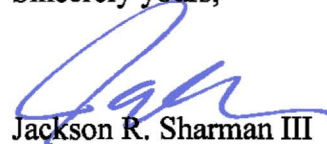
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**Penalties for Non-Compliance**

Failure to preserve such items, or alteration of requested documents, will be taken seriously, including considered for referral for prosecution to relevant law enforcement authorities. *See* Ala. Code §§ 13A-10-2; 13A-10-3; 13A-10-12; and 13A-10-129.

With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1 HR367  
2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
4 Patterson, Hanes, Whorton (R), Holmes (M), Standridge, Moore  
5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
6 Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
7 Mooney  
8 RFD: Judiciary  
9 First Read: 28-APR-16

8 ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.  
9

10 WHEREAS, in 2010, Governor Bentley was elected the  
11 53rd Governor of the State of Alabama and was reelected to a  
12 second term in 2014; and

13 WHEREAS, Section 173 of the Constitution of Alabama  
14 of 1901 provides that the Governor and other constitutional  
15 officers of this state may be impeached upon the adoption of  
16 articles of impeachment by this body and upon trial by the  
17 Senate, acting as a court of impeachment; and

18 WHEREAS, two formal complaints have been filed with  
19 the Alabama Ethics Commission to determine whether Governor  
20 Bentley violated state ethics laws by misusing state property;  
21 and

22 WHEREAS, in recognition of the gravity of the  
23 adoption of these articles of impeachment and upon findings  
24 that Governor Bentley has violated the public trust, this body  
25 concludes Governor Bentley should be impeached for cause; now  
26 therefore,

1           BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF  
2       THE LEGISLATURE OF ALABAMA, That Governor Bentley is impeached  
3       for cause and that the following articles of impeachment,  
4       based upon the findings in this resolution, be transmitted to  
5       the Senate for trial as provided in Section 173 of the  
6       Constitution of Alabama of 1901:

7           ARTICLE I.

8           Willful Neglect of Duty.

9           Credible evidence exists to create probable cause to  
10       believe that, in his conduct while Governor of the State of  
11       Alabama, he willfully neglected his duty as Governor by  
12       failing to faithfully execute the laws of this state and by  
13       refusing to perform his constitutional and statutory duties.

14          ARTICLE II.

15          Corruption in Office.

16          Credible evidence exists to create probable cause to  
17       believe that, in his conduct while Governor of the State of  
18       Alabama, he unlawfully misused state property, misappropriated  
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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Cooper Shattuck, Esq.  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Shattuck:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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- Use of State aircraft
- Investigation, indictment, prosecution, and trial of former Alabama Speaker of the House Mike Hubbard

**COMMITTEE  
EXHIBIT**

1-HH



- Spencer Collier
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- ALEA Dignitary Protection Unit
- Bentley for Governor, Inc.
- Alabama Council for Excellent Government ("ACEG")
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**Organizations of Which You Are An Agent, Officer, Director, Employee,  
Representative or Document Custodian**

If any such evidence or information is in the possession or custody of any business, agency, political body, political campaign, political action committee, entity, or organization of which you are an employee, officer, director, member, agent, or representative, you must immediately take steps to ensure that such business, entity, or organization preserves the same. If any other employees, officers, directors, members, agents, or representatives (including third parties such as attorneys and accountants) of the business, entity, or organization has possession, custody, or control of such evidence or information, you must inform and instruct him, her, or it to preserve it.

**Suspend Document-Retention and Document-Destruction Policies**

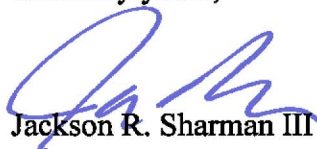
If such agency, business, entity, or organization has any document-retention or document-destruction policies or practices, they must be suspended with respect any potential evidence or information. This requirement includes, but is not limited to, document shredding; overwriting of any electronic data (especially on the e-mail and system servers that support your local workstation on local workstations); the regularly scheduled destruction of any back-up media; tape rotations on back-up servers; re-imaging of computer drives; exchanges of drive hardware; the sale, gift or destruction of computer systems and servers; and any upkeep activities like disc de-fragmentation and maintenance routines.

**Penalties for Non-Compliance**

Failure to preserve such items, or alteration of requested documents, will be taken seriously, including considered for referral for prosecution to relevant law enforcement authorities. *See* Ala. Code §§ 13A-10-2; 13A-10-3; 13A-10-12; and 13A-10-129.

With best wishes, I am

Sincerely yours,

  
Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1 HR367  
2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
4 Patterson, Hanes, Whorton (R), Holmes (M), Standridge, Moore  
5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
6 Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
7 Mooney  
8 RFD: Judiciary  
9 First Read: 28-APR-16

ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.

WHEREAS, in 2010, Governor Bentley was elected the 53rd Governor of the State of Alabama and was reelected to a second term in 2014; and

WHEREAS, Section 173 of the Constitution of Alabama of 1901 provides that the Governor and other constitutional officers of this state may be impeached upon the adoption of articles of impeachment by this body and upon trial by the Senate, acting as a court of impeachment; and

WHEREAS, two formal complaints have been filed with the Alabama Ethics Commission to determine whether Governor Bentley violated state ethics laws by misusing state property; and

WHEREAS, in recognition of the gravity of the adoption of these articles of impeachment and upon findings that Governor Bentley has violated the public trust, this body concludes Governor Bentley should be impeached for cause; now therefore,

1           BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF  
2     THE LEGISLATURE OF ALABAMA, That Governor Bentley is impeached  
3     for cause and that the following articles of impeachment,  
4     based upon the findings in this resolution, be transmitted to  
5     the Senate for trial as provided in Section 173 of the  
6     Constitution of Alabama of 1901:

7           ARTICLE I.

8           Willful Neglect of Duty.

9           Credible evidence exists to create probable cause to  
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12    failing to faithfully execute the laws of this state and by  
13    refusing to perform his constitutional and statutory duties.

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15          Corruption in Office.

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# ALABAMA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

The Honorable Stan Stabler  
Secretary of Law Enforcement  
Alabama Law Enforcement Agency  
201 South Union Street  
Montgomery, Alabama 36130

Re: Impeachment Investigation of Governor Robert Bentley

Dear Secretary Stabler:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, Alabama Law Enforcement Agency ("ALEA") must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

### Materials To Be Preserved

Without in any way limiting the scope of our investigation, or the preservation obligation as described above, ALEA should preserve evidence and information from the time period January 17, 2011 to present concerning any and all of the following:

- Governor Bentley's calendar and schedule, including meetings, appointments, calls, conferences, and travel
- Use of State aircraft

**COMMITTEE  
EXHIBIT**

1-II

- Investigation, indictment, prosecution, and trial of former Alabama Speaker of the House Mike Hubbard
- Spencer Collier
- Temporary or permanent removal, reassignment, or replacement of any ALEA staff
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- Campaign finance submissions and disclosures
- Submissions and disclosures to the Alabama Ethics Commission

Additionally, ALEA should preserve all communications by, between, and among: Governor Bentley; any current or former members of Governor Bentley's Staff (including communications with any such individual after he or she left Governor Bentley's Staff); the Office of the Attorney General of Alabama; any Office of the United States Attorneys; the Alabama Department of Examiners of Public Accounts; the Alabama Department of Finance; the persons identified above; and any employees, agents, or representatives of any of the persons, organizations, companies, and entities identified above or in this paragraph.

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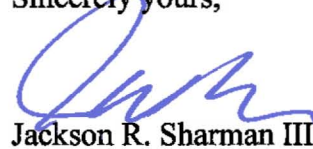
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With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1 HR367  
2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
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8 RFD: Judiciary  
9 First Read: 28-APR-16

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17 Senate, acting as a court of impeachment; and

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19 the Alabama Ethics Commission to determine whether Governor  
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# ALABAMA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

**JACK SHARMAN**  
SPECIAL COUNSEL  
LIGHTFOOT, FRANKLIN & WHITE LLC  
400 20TH STREET NORTH  
BIRMINGHAM, ALABAMA 35203

August 3, 2016

Angella Stalnaker  
60 Commerce Street, 14<sup>th</sup> Floor  
Montgomery, Alabama 36104

Re: Impeachment Investigation of Governor Robert Bentley

Dear Ms. Stalnaker:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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EXHIBIT**

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With best wishes, I am

Sincerely yours,

  
Jack Sharman

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure



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6 Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
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8 RFD: Judiciary  
9 First Read: 28-APR-16

2  
3  
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7  
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5       the Senate for trial as provided in Section 173 of the  
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12       failing to faithfully execute the laws of this state and by  
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15          Corruption in Office.

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19       state resources, and consistently acted in violation of law to  
20       promote his own personal agenda.



**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

John "Hal" Taylor  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Taylor:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

**Materials To Be Preserved**

Without in any way limiting the scope of our investigation, or the preservation obligation as described above, you should preserve evidence and information from the time period January 17, 2011 to present concerning any and all of the following:

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- Use of State aircraft
- Investigation, indictment, prosecution, and trial of former Alabama Speaker of the House Mike Hubbard

**COMMITTEE  
EXHIBIT**

1-KK

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- Temporary or permanent removal, reassignment, or replacement of any Alabama Law Enforcement Agency ("ALEA") staff
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Additionally, you should preserve all communications by, between, and among: Governor Bentley; any current or former members of Governor Bentley's Staff (including communications with any such individual after he or she left Governor Bentley's Staff); the Office of the Attorney General of Alabama; any Office of the United States Attorneys; the Alabama Department of Examiners of Public Accounts; the Alabama Department of Finance; the persons identified above; and any employees, agents, or representatives of any of the persons, organizations, companies, and entities identified above or in this paragraph.

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**Penalties for Non-Compliance**

Failure to preserve such items, or alteration of requested documents, will be taken seriously, including considered for referral for prosecution to relevant law enforcement authorities. See Ala. Code §§ 13A-10-2; 13A-10-3; 13A-10-12; and 13A-10-129.

With best wishes, I am

Sincerely yours,

  
Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1 HR367  
2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
4 Patterson, Hanes, Whorton (R), Holmes (M), Standridge, Moore  
5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
6 Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
7 Mooney  
8 RFD: Judiciary  
9 First Read: 28-APR-16



2  
3  
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6  
7  
8 ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.  
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# ALABAMA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 29, 2016

Collier Tynes  
[REDACTED]

Re: Impeachment Investigation of Governor Robert Bentley

Dear Ms. Tynes:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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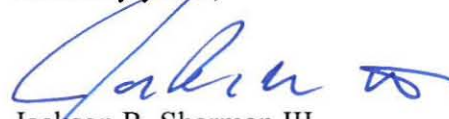
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With best wishes, I am

Sincerely yours,

  
Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

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2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
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5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
6 Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
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8 RFD: Judiciary  
9 First Read: 28-APR-16

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10 WHEREAS, in 2010, Governor Bentley was elected the  
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20 Bentley violated state ethics laws by misusing state property;  
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**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

Rochester Butler Walker

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Walker:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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With best wishes, I am

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Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
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**ALABAMA HOUSE OF REPRESENTATIVES**  
**JUDICIARY COMMITTEE**

**JACK SHARMAN**  
**SPECIAL COUNSEL**  
**LIGHTFOOT, FRANKLIN & WHITE LLC**  
**400 20TH STREET NORTH**  
**BIRMINGHAM, ALABAMA 35203**

July 25, 2016

The Honorable Jim Zeigler  
State Auditor  
The Office of the Alabama State Auditor  
State Capitol, Room S-101  
600 Dexter Avenue  
Montgomery, Alabama 36130

Re: Impeachment Investigation of Governor Robert Bentley

Dear Mr. Zeigler:

As Special Counsel to the Alabama House of Representatives Judiciary Committee, and pursuant to House Resolution 334, House Rule 79.1, and the Rules of the House Judiciary Committee for the Impeachment Investigation of Governor Robert Bentley, I am responsible for collecting evidence and information in connection with the Articles of Impeachment against Governor Bentley, House Resolution 367 (copy enclosed). In the coming weeks, my office will send you, on behalf of the Committee, specific requests for evidence and information related to certain topics. To ensure the integrity of this investigation, you must not destroy, alter, conceal, or remove any article, object, document, record, or other thing containing evidence or information in your possession, custody, or control that is or may be relevant, in any way, to this investigation in general and to the Articles in particular.

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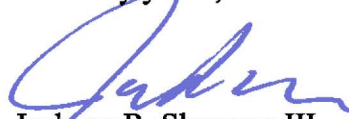
If such agency, business, entity, or organization has any document-retention or document-destruction policies or practices, they must be suspended with respect any potential evidence or information. This requirement includes, but is not limited to, document shredding; overwriting of any electronic data (especially on the e-mail and system servers that support your local workstation on local workstations); the regularly scheduled destruction of any back-up media; tape rotations on back-up servers; re-imaging of computer drives; exchanges of drive hardware; the sale, gift or destruction of computer systems and servers; and any upkeep activities like disc de-fragmentation and maintenance routines.

**Penalties for Non-Compliance**

Failure to preserve such items, or alteration of requested documents, will be taken seriously, including considered for referral for prosecution to relevant law enforcement authorities. *See* Ala. Code §§ 13A-10-2; 13A-10-3; 13A-10-12; and 13A-10-129.

With best wishes, I am

Sincerely yours,



Jackson R. Sharman III

cc: The Honorable Mike Jones, Chairman, Alabama House Judiciary Committee  
Enclosure

1 HR367  
2 176360-2  
3 By Representatives Henry, Whorton (I), Sessions, Ball,  
4 Patterson, Hanes, Whorton (R), Holmes (M), Standridge, Moore  
5 (B), Crawford, Farley, Williams (JW), Ainsworth, Ford, Todd,  
6 Wilcox, Butler, Nordgren, Williams (P), Morrow, Ingram and  
7 Mooney  
8 RFD: Judiciary  
9 First Read: 28-APR-16

ARTICLES OF IMPEACHMENT AGAINST GOVERNOR BENTLEY.

WHEREAS, in 2010, Governor Bentley was elected the 53rd Governor of the State of Alabama and was reelected to a second term in 2014; and

WHEREAS, Section 173 of the Constitution of Alabama of 1901 provides that the Governor and other constitutional officers of this state may be impeached upon the adoption of articles of impeachment by this body and upon trial by the Senate, acting as a court of impeachment; and

WHEREAS, two formal complaints have been filed with the Alabama Ethics Commission to determine whether Governor Bentley violated state ethics laws by misusing state property; and

WHEREAS, in recognition of the gravity of the adoption of these articles of impeachment and upon findings that Governor Bentley has violated the public trust, this body concludes Governor Bentley should be impeached for cause; now therefore,

1           BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF  
2       THE LEGISLATURE OF ALABAMA, That Governor Bentley is impeached  
3       for cause and that the following articles of impeachment,  
4       based upon the findings in this resolution, be transmitted to  
5       the Senate for trial as provided in Section 173 of the  
6       Constitution of Alabama of 1901:

7           ARTICLE I.

8           Willful Neglect of Duty.

9           Credible evidence exists to create probable cause to  
10       believe that, in his conduct while Governor of the State of  
11       Alabama, he willfully neglected his duty as Governor by  
12       failing to faithfully execute the laws of this state and by  
13       refusing to perform his constitutional and statutory duties.

14          ARTICLE II.

15          Corruption in Office.

16          Credible evidence exists to create probable cause to  
17       believe that, in his conduct while Governor of the State of  
18       Alabama, he unlawfully misused state property, misappropriated  
19       state resources, and consistently acted in violation of law to  
20       promote his own personal agenda.