



OFFICE OF THE DIRECTOR OF
DEFENSE RESEARCH AND ENGINEERING
3040 DEFENSE PENTAGON
WASHINGTON, DC 20301-3040

JAN 14 2009

Mr. Auchi *Mr. Pepper*
Dear Mr. Auchi and Mr. Pepper,

Sent via e-mail to Alasdair.Pepper@Carter-ruck.com

It has come to my attention that in a letter to my previous immediate supervisor, Deputy Under Secretary of Defense Dr. John A. Shaw, of November 25, 2008 that you, Mr. Pepper, have maliciously libeled me on behalf of your client Mr. Auchi. It appears this letter is the most recent part of a pattern initiated by your client to attack and discredit my professionalism in pursuit of my official US Government responsibilities.

I am currently the Director of Technology Assessment, International Technology Security, at the US Department of Defense. I directed the investigation which underlies Dr Shaw's "Preliminary Report to the Inspector General into Mobile Telecommunications Licenses in Iraq" and was a principal editor of the report.

Prior to this assignment I served on the Professional Staff of The House Committee on Rules assigned by Chairman Solomon to investigate The Peoples Republic of China's involvement in making illegal contributions into the US Political process. A lot of individuals fled my country. However, the tracking of illegal funds from PRC Agents of Influence, the Russian Mafia, Drug kingpins and international fraudsters led to successful investigations by the FBI and prosecutions by the Department of Justice.

I am the author of three books; one is a New York Times best seller on criminal PRC activities in the sensitive trade arena. My integrity and personal reputation in the area of illegal and fraudulent international contracting is unrivalled. The report makes very clear that it was the product of research by known experts, including myself, and that it was the official product of an office with the full authority of the Department of Defense. Any claims you cite in defense of your client made in the public domain to the contrary are false and the product of a now discredited smear campaign directed at Dr. Shaw.

Mr. Pepper it has been reported that on behalf of Mr. Auchi you have carried out an extended campaign to force five British newspapers to print retractions which stated in each case that their stories were based on a "discredited DoD report." Those forced statements intended to undermine the official DoD report were wholly untrue: The report's validity has never been questioned by official authorities, and based on its content the entire matter was personally referred to the Justice Department by Secretary of Defense Rumsfeld on December 10, 2004.

I have remained involved since that time with ongoing investigations.

In addition, a US Federal Court, the United States District Court in Washington, DC held in the summer of 2007 that the report was a valid and official document of a duly authorized DoD entity, and as such was immune from any personal liability.



In your letter to Dr. Shaw you and your law firm defamed me, in representing Mr. Auchy's by claiming that the performance of my official duties was both unprofessional and unauthorized:

"The Report as you perfectly well know is such that no credibility whatsoever should be attached to it" and "The Report was prepared without any proper authority."

Both of these statements are demonstrably untrue, libelous of me, and defamatory of the Department of Defense. To directly address your libel I have attached several supporting documents to this e-mail.

As an American I find it personally abhorrent that your use of the capabilities of continually emerging world wide information technology in tandem with draconian English libel procedures, now has presented a serious challenge to my nation's First Amendment rights on the international plane.

Fortunately, there is a current bipartisan American legislative ground swell to put an end to such nonsense, and when I leave DoD I will engage with this effort.

However, I have to take the world as it is and I am putting you both on notice beginning with this pre-action protocol on defamation that your libelous and defamatory actions against my professionalism and the performance of my official duties will be challenged in the appropriate venue.

I am retiring from US Government service on January 16, 2009, and I will then be free to initiate civil procedures against both of you if I don't get a retraction of your libel. As Mr. Auchy's visa is no longer valid for travel to the United States, I am prepared to carry my fight against him to English Court.

My goal is a formal apology with wording to my satisfaction and additional terms and conditions that I will make known after leaving US Government service.

You would do well to remember that the American Battle Flag motto "Don't Tread on Me" (which arose in 1776) has a resonance whenever Freedom of the Press is challenged. I am pleased that Parliament has taken up this issue of libel tourism, which is the essence of your challenge, and which Mr. Auchy personifies. He is the poster child of that debate and will hopefully be the principal object lesson of its resulting wisdom.

Thank you, and looking forward to a public resolution of this matter.



The Honorable Edward Timperlake
Currently, Director Technology Assessment
International Technology Security/DoD