

Exhibit 1 to  
Individual Management Defendants' Opposition to  
Plaintiff's Motion for Preliminary Injunction and  
Expedited Discovery

March 28, 2014 Email from Cleta Mitchell

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**From:** CMitchell@foley.com  
**Sent:** Friday, March 28, 2014 5:45 PM  
**To:** Hartt, Grover (TAX)  
**Cc:** Lamken, Jeffrey (jlamken@mololamken.com); Benitez, Brigida; WDavis@foley.com; MLockerby@foley.com; Kaylan Phillips; Noel Johnson (njohnson@actrightlegal.org)  
**Subject:** Re: True the Vote v. IRS, 1:13-cv-00734 (D.D.C.): Request for FRCP 26(f) Conference

Well that's what we were thinking all along, but then became concerned that we maybe should go ahead. I don't disagree with waiting - just didn't want you guys to later say we missed a deadline!! Brigida might do that, right, Brigida? :)

Have a good weekend, everyone! Cleta

Sent from my iPhone

On Mar 28, 2014, at 2:42 PM, "Hartt, Grover (TAX)" <[Grover.Hartt@usdoj.gov](mailto:Grover.Hartt@usdoj.gov)<<mailto:Grover.Hartt@usdoj.gov>>>> wrote:

Cleta,

Until the Court has ruled on the pending motions to dismiss, we believe it would be premature to schedule a Rule 26(f) conference.

Grover

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From: [CMitchell@foley.com](mailto:CMitchell@foley.com)<<mailto:CMitchell@foley.com>> [<mailto:CMitchell@foley.com>]  
Sent: Friday, March 28, 2014 10:39 AM  
To: Hartt, Grover (TAX); Lamken, Jeffrey ([jlamken@mololamken.com](mailto:jlamken@mololamken.com)<<mailto:jlamken@mololamken.com>>); 'bbenitez@steptoe.com'<<mailto:bbenitez@steptoe.com>>'  
Cc: [WDavis@foley.com](mailto:WDavis@foley.com)<<mailto:WDavis@foley.com>>; [MLockerby@foley.com](mailto:MLockerby@foley.com)<<mailto:MLockerby@foley.com>>; Kaylan Phillips; Noel Johnson ([njohnson@actrightlegal.org](mailto:njohnson@actrightlegal.org)<<mailto:njohnson@actrightlegal.org>>)  
Subject: True the Vote v. IRS, 1:13-cv-00734 (D.D.C.): Request for FRCP 26(f) Conference

Counsel, I know we are all awaiting the judge's ruling(s) on your MTDs, but realized we should probably proceed to conduct the FRCP 26(f) conference. What would be your availability to participate in such a conference? Would next Friday, April 4 work? We would suggest 10 am EDT, but if there is another time that would work better for others, let me know. Once we agree on a date/time, I will circulate a dial-in number.

Thanks. Cleta

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