

*James Tobin's Legal Bills – Updated Report – Wednesday, October 4, 2006
Hilary Sargent*

Between 12/6/04 and 8/31/06, Williams & Connolly has billed a total of \$3,326,668.57. The Republican National Committee began paying Tobin's legal bills in December 2004, and continued to do so until late January 2006. According to FEC reports showing RNC disbursements, the RNC paid Williams & Connolly a total of \$2,824,584.00 between 12/9/04 and 1/26/06.

Despite the RNC's public statements that it is not paying the legal bills for Tobin's appeal, Williams & Connolly has continued to send invoices to the RNC on a monthly basis.

The invoices sent to the RNC since February 2006 show that since the RNC made its final payment on 1/26/06, there have been no payments made towards Mr. Tobin's balance.

However, within days of the RNC's final payment to Williams & Connolly, an LLC was set up in the state of Maine. In early February 2006, Northeast Strategies LLC was formed as an entity based in Bangor, Maine.

FEC reports from the Chafee for Senate campaign show that beginning on 4/1/06, the Chafee campaign made the first of a series of payments to Northeast Strategies. Between 4/1/06 and 8/21/06, payments from the Chafee campaign to Northeast Strategies totaled \$550,960.86.

The Numbers

How much has Tobin's defense cost?

\$3,326,668.57

How much has the RNC paid directly to Williams & Connolly?

\$2,824,584.00

Difference between the amount billed and the amount paid by the RNC? (In other words, the amount Tobin would be responsible for paying with his own funds given the RNC's decision to stop covering the tab.)

\$502,084.57

Amount paid to Northeast Strategies by the Chafee for Senate campaign?

\$550,960.86.

New Information on Northeast Strategies

At the ongoing depositions of various Republicans who were either directly involved in, or may have had knowledge of the phone jamming, the NHDP has attempted to learn more about Northeast Strategies.

Alicia Davis: In November 2002, Alicia Davis was Associate Director, White House Office of Political Affairs. Ms. Davis was deposed by the NHDP on Wednesday, September 20, 2006, in Washington, DC. The following is an excerpt from the transcript of that deposition. John Hardin Young, of Sandler Reiff & Young (NHDP attorney), was questioning Ms. Davis:

Q While you were at the RNC, did you have any discussions with anyone about the allegations of phone jamming in the 2002 New Hampshire general election?

A At what time?

Q Any time?

A No, other than with my --

Q Other than with your counsel?

A Yeah.

Q Do you know who is paying the legal fees for Mr. James D. Tobin?

A No, I don't know.

Q Has anyone told you who is paying those fees?

A No.

Q Were you involved in any discussions at the RNC as to the payment of any legal fees arising out of the allegations of phone jamming as it relates to the 2002 New Hampshire general election?

A No.

Q Were you involved in any decisions or discussions relating to the cessation of the payment of any legal fees?

James Tobin's Legal Bills – Updated Report – Wednesday, October 4, 2006
Hilary Sargent

A No.

Q Who's paying your legal fees today other than the representation of the United States of America?

A I don't know.

Q All right. A question we are finding out after this deposition.

A That's true. I should.

Q I would recommend that you do. Have you ever heard of an entity called Northeast Strategies?

A Yes.

Q And do you know who they are?

A I -- I believe that it is Jim Tobin's company.

Q Do you know if he is -- if his wife also works there?

A I don't know how they are set up.

Brian McCabe: Brian McCabe was deposed by the NHDP on September 7, 2006, in New Hampshire. The following is an excerpt from that deposition. Mr. McCabe is answering questions posed by Paul Twomey.

Q. Are you aware of what work Jim Tobin's doing now?

A. No.

Q. Are you aware of an organization called Northeast Strategies? Have you ever heard of it?

A. Yes.

Q. Can you tell me where you first heard of it?

James Tobin's Legal Bills – Updated Report – Wednesday, October 4, 2006
Hilary Sargent

A. I know Kathy Summers, who I think works there, who I think owns Northeast Strategies.

Q. And how did you know she was associated with Northeast Strategies?

A. I've met Kathy and, you know, she's introduced herself as Northeast Strategies. That's her company's name.

Q. Have you ever worked with her on campaigns or -- when I say "campaigns," I mean both political as well as advocacy campaigns or business campaigns or anything like that?

A. Not political. On advocacy. She used to be at the Department of Labor. And after she set out, she has done, like we have a -- we hire a number of contract consultants like Kathy Summers. And as Jim Tobin did, Kathy's done some work for DCI.

Q. And what types of things has Kathy Summers done for DCI?

A. She -- she'll work on, you know, our corporate public policy campaign. She's working on one right now.

Q. So she's currently performing work for DCI?

A. Yes.

Q. Is Northeast --

A. She's a vendor on one of our projects, correct.

Q. What type of project is that?

A. It's a telecommunications client, and she's helping in -- you know, helping in the northeast region, I believe.

Q. What's the name of the telecommunications --

A. Verizon.

Q. And is she doing anything else currently for DCI?

James Tobin's Legal Bills – Updated Report – Wednesday, October 4, 2006
Hilary Sargent

A. I don't think so but I'm not sure.

Q. Is she doing that contract as herself as an individual or as Northeast Strategies?

A. I'm not positive. But I would think that she gets paid to Northeast Strategies because, by and large, if someone's got a business, we pay to the business.

Q. But people that have more than one business, I guess is what I'm getting at. You think it's Northeast Strategies that has a contract with DCI?

A. I think but I'm not positive.

Q. Do you work on that particular campaign with her?

A. I work on Verizon, yes. But I have -- There are a number of people who work on it. I don't really interact with Kathy Summers all that much on it.

Q. How about Mr. Tobin's wife? Have you ever had any contact with her concerning Northeast Strategies?

A. No, never.

Q. Where does Kathy Summers live?

A. I think she lives in Boston, but again, I'm not positive.

Q. Have you ever had occasion to contact her in Bangor, Maine?

A. No.

Q. And the "her" was Kathy Summers.

Terry Nelson: Terry Nelson was deposed by the NHDP on Friday, September 8, 2006, in Washington, DC. The following is an excerpt from that deposition, in which NHDP attorney Joe Sandler is questioning Mr. Nelson.

Q. Do you know, Mr. Nelson, who is paying Mr. Tobin's legal fees currently?

A. No.

James Tobin's Legal Bills – Updated Report – Wednesday, October 4, 2006
Hilary Sargent

Q. When you had dinner with him last month, in August 2006, did you talk to him about that?

A. No.

Q. You didn't talk to him about who was paying his legal fees?

A. No.

Q. When you had dinner with him, his wife was present also, correct?

A. Yeah.

Q. Her name is Ellen Hall?

A. I don't know what her maiden name is.

Q. Ellen Tobin?

A. Yes.

Q. You know her as well then?

A. I met her before, yes.

Q. Do you know what her occupation or employment is?

A. No. I know she recently started a firm with somebody else, but up until this point, I've mostly known Ellen as somebody who takes care of her family.

Q. Does she have a background in political work, to your knowledge?

MR. KELNER: I'm going to object to this line of questioning. The subpoena to Mr. Nelson calls for him to be deposed regarding his knowledge concerning the allegations contained in the complaint in this case. And I don't really particularly see how this line of questioning relates to any of that. If you ask explain some basis, I'll give you a little bit of latitude. It is far afield to me.

James Tobin's Legal Bills – Updated Report – Wednesday, October 4, 2006
Hilary Sargent

MR. SANDLER: Okay.

MR. KELNER: I'm not instructing my client not to answer. I'll give you a little bit of latitude, but I'm very close to doing so.

MR. SANDLER: Okay.

THE WITNESS: What does that mean?

BY MR. SANDLER: The question is whether you know Ellen Tobin from Republican politics as somebody who has a background in analytical work?

A. She does have a background in political work.

Northeast Strategies Emerges in Chafee for Senate FEC Report:

On February 10, 2006, papers were filed in the state of Maine to incorporate a new business – Northeast Strategies, LLC. Information obtained from the Maine Secretary of State shows that Northeast Strategies (ME Corporation #: 20062466DC) remains in “very good standing” today (7/26/06).¹

A first look at Northeast Strategies LLC does not reveal any connection to James Tobin. The LLC's registered agent is Nathan Dane III, of 205 French Street, Bangor, ME. Tobin's name does not appear on the entity's corporate filings.

However, an FEC report filed on July 19, 2006 by the “Chafee for Senate” campaign in Rhode Island shows payments to Northeast Strategies totaling more than \$386,000 for the time period April 1, 2006 -June 30, 2006. According to the Chafee for Senate FEC report, the purpose of each and every payment to Northeast Strategies LLC is listed as “consulting services.”²

To put the amount paid to Northeast Strategies in perspective, the total amount paid to Northeast Strategies is five times the amount the campaign spent on payroll over the same period.

The address to which each and every payment is sent is 212 Kenduskeag Avenue, Bangor, ME - the home address of James & Ellen Tobin.^{3,4}

Tobin's Career - Once Lost, Now Found?

At the sentencing hearing for James Tobin, held on May 17, 2006 in U.S. District Court in Concord, New Hampshire, Tobin's attorney asked the judge to spare his client a prison sentence. Dane Butswinkas attempted to show that Tobin had already suffered punishment enough: “He [Tobin] has lost his career - he [Tobin] lost his final client last Wednesday.”⁵ Were Butswinkas' statement correct, that would mean Tobin “lost his final client” on Wednesday, May 10, 2006.⁶

Tobin reiterated the claim. Speaking on his own behalf, Tobin said: “After 20 years, I have lost my profession.”⁷

The sentencing memorandum, filed by Tobin's attorneys in U.S. District Court on May 11, 2006, states as follows under the heading “Professional and Financial Effects”:

“Mr. Tobin has also suffered profound professional and financial consequences as a result of this case. Mr. Tobin, through the income from his consulting business, has supported his family of six. Following his December 2004 indictment, “one of the first decisions he made was to tell current and prospective clients that in politics perception is everything, and that while his actions were under scrutiny, it was in their best interests not to hire him for political work.” His business has been deteriorating for months, and

James Tobin's Legal Bills – Updated Report – Wednesday, October 4, 2006

Hilary Sargent

this week his last remaining client informed him that it intends to sever ties with him. Ellen Tobin summarizes the professional toll of this case: "His business is on the brink of destruction. Regardless of what happens from this point forward, his ability to make a living in politics is gone forever." Mr. Tobin's decades of experience will likely no longer support a career in his field because the public perception of this case will trump the integrity, honesty, dedication and experience that Mr. Tobin's colleagues so admire. This stark reality weighs heavily on Mr. Tobin. "Jim worries about how we will pay for [our children's] education now that his career is through." This is a very tangible punishment for Mr. Tobin that has already affected him and his family—and will continue to do so in the future."⁸

In fact, on May 17, 2006, the very day Tobin and his attorney claimed in U.S. District Court that Tobin's career was over, and that he had "lost his final client", Chafee for Senate paid Northeast Strategies \$88,268.34.

Chafee Campaign Responds to Media Reports

On Sunday, August 6, 2006, the Washington Post first reported that Chafee's campaign was sending payments to Tobin's home address. Chafee's campaign responded:

*"Campaign manager Ian Lang said that Tobin has no role in the company or the Chafee campaign. Instead, he said, Northeast Strategies is made up of Tobin's wife, Ellen, and a political consultant, Kathie Summers. James Tobin -- who is appealing his December 2005 conviction -- "is not involved at all," Lang said. He said that the money pays for mailings, phone calls and staff, in addition to Summers's expertise."*⁹

The Washington Post also contacted Kathie Summers, who confirmed the explanation offered by Ian Lang:

"Summers confirmed Lang's account on Friday. She said that she had worked on campaigns all over New England and that her company was built on her expertise in targeting and reaching nonaffiliated voters. "It's messaging the independent voter," Summers said. She said she spends three days a week in Rhode Island, and Ellen Tobin -- a friend whom she recruited to her company during a ski trip -- handles bookkeeping and administrative duties. "There's no connection with Jim," Summers said. "I mean, I love Jim, but he's not involved in the company. ""¹⁰

On Tuesday, August 8, 2006, the Providence Journal wrote a second story, alleging that "Sen. Lincoln D. Chafee's campaign has paid \$386,000 to a company controlled by the wife of James Tobin."¹¹

The Providence Journal described Northeast Strategies as a firm specializing in "targeting unaffiliated voters" who "make up the largest slice of voters eligible for the Sept. 12 GOP Senate primary" and who are "coveted by both Chafee and his primary opponent".¹²

The Providence Journal quoted another Chafee campaign staffer, Steve Hourahan:

"We had no idea that Northeast Strategies had any connection to Tobin," said Steve Hourahan, Chafee's campaign spokesman. The Northeast Strategies principal is Ellen Hall, Hourahan said. "Her name is Ellen Hall and we hired Ellen Hall and we know nothing about her connection to Mr. Tobin. Mr. Tobin has no connection to the Chafee campaign at all. ""¹³

Ellen Tobin: Engineer, Bookkeeper or Political Consultant

It remains unclear what role - if any - Ellen Tobin has at Northeast Strategies. Kathie Summers told the Washington Post that Ellen handles “bookkeeping and administrative” matters. Kathie Summers told the Washington Post she spends three days per week in Rhode Island, and as of early 2006, she maintains a primary residence in Newton, Massachusetts.¹⁴ It remains unclear why a firm that is run by a Massachusetts resident - and does the majority of its business in Rhode Island, would be established in the state of Maine, and would hire a Maine resident to handle bookkeeping and administrative matters.

Ellen's Political Experience

Aside from working as manager for Susan Collins' 1996 Senate primary campaign, Ellen Tobin's political experience remains a mystery.

Stretching the Truth

Whether or not James Tobin is involved in Northeast Strategies, it is clear Tobin's attorney stretched the truth when he told asserted that James Tobin had lost his career, and that he was the family's sole source of income. On May 17, 2006, Dane Butswinkas stated that: “as the sole support of a family of six, the loss of your career is a serious punishment.”

If we are to believe that James Tobin has no involvement in Northeast Strategies, then Ellen Tobin's involvement in the firm begs the question whether James Tobin was the family's sole source of income.

Given James Tobin's loss of his career, and the family's increasingly dire financial circumstances, is it plausible Ellen Tobin offered her services to Northeast Strategies free of charge?

Chafee Campaign Payments to Northeast Strategies LLC

4/1/06 to 8/21/06

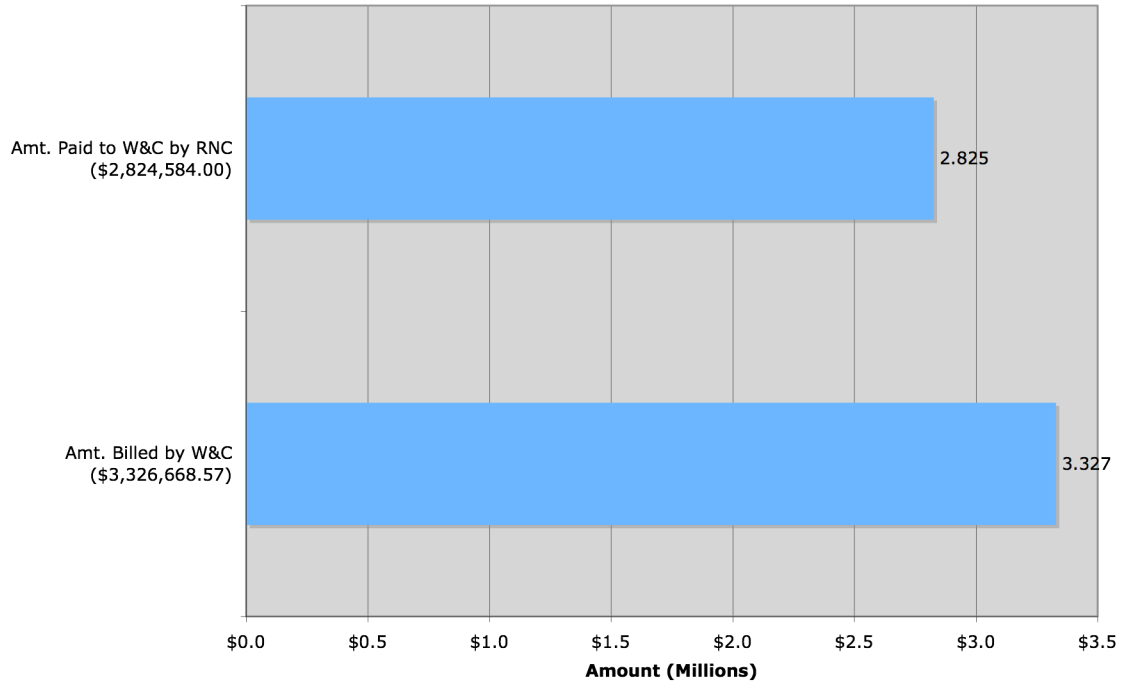
4/1/06	\$125,000.00
4/15/06	\$8,033.00
5/17/06	\$88,268.34
5/19/06	\$8,500.00
5/26/06	\$2,100.00
5/26/06	\$1,436.85
5/31/06	\$45,093.40
6/8/06	\$45,084.04
6/12/06	\$940.74
6/12/06	\$13,650.00
6/30/06	\$48,119.93
7/2/06	\$608.91
7/2/06	\$4,350.00
7/13/06	\$949.98
7/28/06	\$20,467.23
7/28/06	\$5,000.00
7/28/06	\$9,321.35
7/28/06	\$2,543.18
8/2/06	\$45,216.03
8/18/06	\$60,000.00
8/21/06	\$5,262.45
8/21/06	\$11,015.43
TOTAL:	\$550,960.86

James Tobin's Legal Bills – Updated Report – Wednesday, October 4, 2006
Hilary Sargent

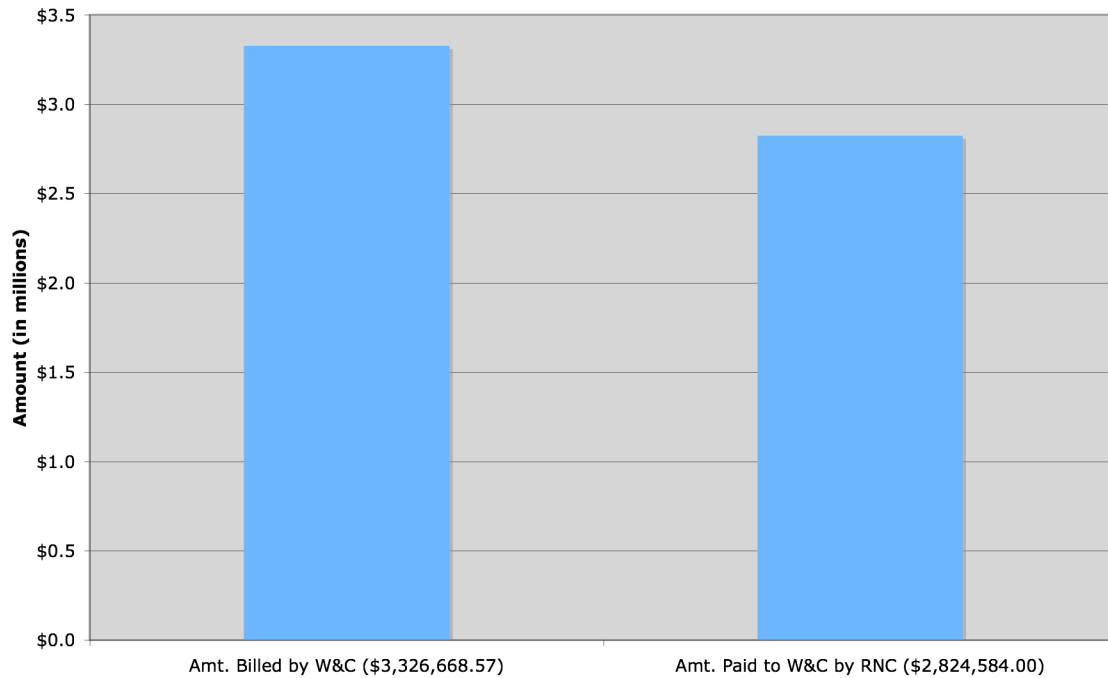
Date (of Invoice, or Payment)	Amount Billed	Amount Paid by RNC to W&C	Total Due as of Invoice Date	Amount Paid by Chafee to Northeast Strategies	Source of Information
12/6/04	\$72,590.91		\$235,236.92		W&C Invoice #176366
12/9/04		\$162,646.00			FEC/PoliticalMoneyline
1/12/05	\$75,471.75		\$148,062.66		W&C Invoice #177132
2/16/05	\$112,383.27		\$260,445.93		W&C Invoice #178109
3/11/05	\$101,781.81		\$362,227.74		W&C Invoice #178484
4/6/05	\$197,511.77		\$559,739.51		W&C Invoice #179066
5/5/05	\$277,985.35		\$837,724.86		W&C Invoice #179788
5/19/05		\$72,591.00			FEC/PoliticalMoneyline
5/19/05		\$75,472.00			FEC/PoliticalMoneyline
5/19/05		\$112,383.00			FEC/PoliticalMoneyline
5/19/05		\$101,782.00			FEC/PoliticalMoneyline
5/19/05		\$197,512.00			FEC/PoliticalMoneyline
6/8/05	\$418,835.62		\$696,820.97		W&C Invoice #180633
7/12/05	\$185,723.96		\$882,544.93		W&C Invoice #181276
8/10/05	\$92,965.14		\$975,510.07		W&C Invoice #181925
?	\$21,883.09		\$997,393.16		No invoice included
10/6/05	\$132,288.76		\$1,129,681.92		W&C Invoice #183164
11/3/05	\$180,450.52		\$1,310,132.44		W&C Invoice #183790
12/12/05	\$461,227.77		\$1,771,360.21		W&C Invoice #184610
12/15/05		\$1,771,360.00			FEC/PoliticalMoneyline
missing invoice	?	?	?	?	?
1/17/06	\$56,398.00		\$387,235.93		W&C Invoice #185416
1/26/06		\$286,700.00			FEC/PoliticalMoneyline
1/26/06		\$44,138.00			FEC/PoliticalMoneyline
2/10/06	Northeast Strategies, LLC is incorporated in the state of Maine in February 2006.				
2/10/06	\$278,664.48		\$335,062.48		W&C Invoice #185880
3/10/06	\$113,188.08		\$448,250.56		W&C Invoice #186626
4/1/06				\$125,000.00	Chafee FEC Report
4/11/06	\$33,674.21		\$481,924.77		W&C Invoice #187324
4/15/06				\$8,033.00	Chafee FEC Report
5/17/06	\$70,401.74		\$552,326.51		W&C Invoice #188786
5/17/06				\$88,268.34	Chafee FEC Report
5/19/06				\$8,500.00	Chafee FEC Report
5/26/06				\$2,100.00	Chafee FEC Report
5/26/06				\$1,436.85	Chafee FEC Report
5/31/06				\$45,093.40	Chafee FEC Report
6/8/06				\$45,084.04	Chafee FEC Report
6/12/06				\$940.74	Chafee FEC Report
6/12/06				\$13,650.00	Chafee FEC Report
6/20/06	\$214,503.16		\$766,829.67		W&C Invoice #189768
6/30/06				\$48,119.93	Chafee FEC Report
7/2/06				\$608.91	Chafee FEC Report
7/2/06				\$4,350.00	Chafee FEC Report
7/13/06				\$949.98	Chafee FEC Report
7/28/06				\$20,467.23	Chafee FEC Report
7/28/06				\$5,000.00	Chafee FEC Report
7/28/06				\$9,321.35	Chafee FEC Report
7/28/06				\$2,543.18	Chafee FEC Report
8/2/06				\$45,216.03	Chafee FEC Report
8/18/06				\$60,000.00	Chafee FEC Report
8/21/06				\$5,262.45	Chafee FEC Report
8/21/06				\$11,015.43	Chafee FEC Report
8/23/06	\$194,468.08		\$961,297.75		W&C Invoice #191212
9/26/06	\$34,271.10		\$995,568.85		W&C Invoice #192164
TOTALS	\$3,326,668.57	\$2,824,584.00		\$550,960.86	

*James Tobin's Legal Bills – Updated Report – Wednesday, October 4, 2006
Hilary Sargent*

James Tobin Legal Bills



James Tobin's Legal Bills



James Tobin's Legal Bills – Updated Report – Wednesday, October 4, 2006
Hilary Sargent

James Tobin's Legal Bills

