



**U.S. Department of Justice**  
*S. Amanda Marshall*  
*United States Attorney*  
*District of Oregon*  
*1000 SW Third Avenue, Suite 600*  
*Portland, OR 97204-2902*

*(503) 727-1000*  
*Fax (503) 471-5563*

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February 12, 2015

State of Oregon - Department of Administrative Services  
155 Cottage St NE, U20  
Salem, OR 97301-3972  
Attn: Custodian of Records

Re: District of Oregon, Portland Division  
**Grand Jury Subpoena number JK-15-029**  
Return date on or before March 10, 2015

Dear Custodian of Records:

Enclosed is a subpoena relating to an investigation being conducted by the United States Grand Jury for the District of Oregon in Portland. The subpoena requires that you or your company furnish certain information to the Grand Jury by a specified deadline or "return date." To facilitate this process, please carefully read each of the following enclosures:

1. the subpoena and attachment, which specify the information sought by this subpoena, the deadline for producing it, and the preferred format for producing it;
2. an information sheet describing compliance with this subpoena;
3. where appropriate, a certificate of authenticity of business records; and,
4. an information sheet describing the Grand Jury process (for first-time recipients of a grand jury subpoena from this U.S. Attorney's Office only).

Please follow the instructions on the attachment to the subpoena, and on each of the enclosed information sheets.

You are asked not to disclose the existence of this subpoena or the fact of your compliance to the customer, or any agent or representative of the customer. Please ensure that any record of your compliance with the subpoena is separately maintained, and not commingled with the customer's records. Any disclosure on your part could seriously impede an ongoing investigation of possible violations of federal criminal laws.



Subpoena cover letter

Subpoena number: JK-15-029

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Pursuant to federal law, neither you nor your company are entitled to reimbursement for the costs of producing the subpoenaed material. *See United States v. Hurtado*, 410 U.S. 578, 579 (1973) (costs of producing records to comply with grand jury subpoena are part of “the cost of doing business in a society of justice”). While in some instances, 12 U.S.C. § 3401(1) (the “Right to Financial Privacy Act”) and 18 U.S.C. § 2706 (the “Telecommunications Act”) provide a mechanism for reimbursement, neither of these provisions appear to apply to you or your company.

Please do not send or fax the requested information to the federal agent assigned to this case unless specifically advised to do so. If you need more time or wish an extension due to unforeseen circumstances, please call Sharon Grove at the number provided below. The requested information must be received by Ms. Grove, along **with a copy of the subpoena** (please do not send any of the attachments or the instructions for complying with the subpoena) at the following address:

Sharon Grove, Paralegal Specialist  
U.S. Attorney’s Office  
1000 SW Third Avenue, Suite 600  
Portland, OR 97204-2902  
Phone: (503) 727-1035  
Fax: (503) 471-5563

***Please utilize the subpoena number noted above in any communication with this office about this subpoena. Do not assume that the individual or entity whose records are sought is a subject of the investigation. Kindly do not write the name of the individual or entity on your cover letter, but rather refer to the subpoena number.***

Thank you in advance for reading the attached information sheets, and for your complete and timely compliance with this subpoena. If you have any questions concerning the scope of the information sought, or the format in which to produce it, please contact the agent whose name appears on the front of the subpoena.

Very truly yours,

S. AMANDA MARSHALL  
United States Attorney

*Sharon Grove*

SHARON GROVE, Paralegal Specialist  
Grand Jury Coordinator



UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

SUBPOENA #: JK-15-029

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: State of Oregon - Department of Administrative Services
155 Cottage St NE, U20
Salem, OR 97301-3972
Attn: Custodian of Records

[Redacted]

YOU ARE COMMANDED to appear in this United States District Court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Table with 2 columns: Place and Date and Time. Place: Grand Jury Room - Suite B, United States Courthouse, 1000 SW Third Avenue, 3rd Floor, Rm 311, Portland, Oregon 97204. Date and Time: March 10, 2015 - 9:00 a.m.

You must also bring with you the following documents, electronically stored information, or objects (blank if not applicable):

SEE ATTACHMENT

Compliance with this subpoena may be attained either (1) personally appearing to deliver the subpoenaed material at the [Redacted] (2) arranging for the delivery of the subpoenaed material no later than the Friday before the date and time indicated above, as described in further detail below. Your personal appearance is excused only if you arrange for the subpoenaed material to be delivered by the Friday before the date and time indicated above. Requested information may be provided to Sharon Grove, Paralegal Specialist, United States Attorney's Office, 1000 SW Third Avenue, Suite 600, Portland, Oregon 97204, please include a copy of this subpoena (without attachments).

You are requested not to disclose the existence of this request to your customer. Any such disclosures could impede the investigation being conducted and thereby interfere with the enforcement of the law.

If you have any questions concerning the information requested, please call Federal Bureau of Investigation, Special Agent Jason Newport at (503) 460-8272.

CLERK OF COURT, MARY L. MORAN

[Handwritten Signature]
Signature of Clerk or Deputy Clerk



The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:

Scott E. Bradford
Assistant United States Attorney
(503) 727-1000

United States Attorney's Office
District of Oregon
1000 SW Third Avenue, Suite 600
Portland, Oregon 97204
(503) 727-1000

Date: February 12, 2015

**Attachment:**  
**State of Oregon – Department of Administrative Services**

**Subpoena #: JK-15-029**

For the time period of January 1, 2009, including and through the present, please provide all information, records, and documents, including data electronically or digitally stored on computers or similar devices, relating to the individuals and entities listed below, including but not limited to the following:

Name: Cylvia Lynne Hayes  
DOB: [REDACTED]  
Possible SSN: [REDACTED]  
Address: 533 Lincoln St S, Salem, OR 97302  
[REDACTED]  
Email Addresses: [REDACTED]  
Telephone Numbers: [REDACTED]  
[REDACTED]  
[REDACTED]

Business Name: 3E Strategies, LLC  
Possible TIN: 01-0738180  
Address: [REDACTED]  
Email Address: [REDACTED]  
Telephone Number: [REDACTED]

Name: John Albert Kitzhaber  
DOB: [REDACTED]  
Possible SSN: [REDACTED]  
Address: [REDACTED]  
[REDACTED]  
Email Addresses: [REDACTED]  
[REDACTED]  
Telephone Numbers: [REDACTED]  
[REDACTED]  
[REDACTED]

Entity Names:  
Demos  
Resource Media  
Energy Foundation  
Rural Development Initiatives  
Clean Economy Development Center  
Waste to Energy  
Oregon Business Council

To include, but not limited to, records from the following departments within the State of Oregon:

- Department of Administrative Services
- Business Development Department/Business Oregon
- Department of Community Colleges and Workforce Development
- Department of Energy
- Department of Environmental Quality

**Attachment:**  
**State of Oregon – Department of Administrative Services**  
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Office of the Governor  
Government Ethics Commission  
Housing and Community Services Department  
Oregon Department of Justice  
Department of State Lands  
Oregon Department of Revenue

- Complete employment and personnel records, including record of compensation, performance evaluations, reports of disciplinary actions or internal investigations.
- Any and all documents, notes, drafts, and/or electronic communications submitted for ethics review to include, but not limited to, disclosures of actual or potential conflicts of interest, to include any contracts or consulting agreements submitted for review, statements of economic interest, any and all revisions and final documents regarding acknowledgement/guidance/opinion of State of Oregon ethics rules, ethics training, and requests for outside employment to include correspondence on such issues.
- Any and all documents related to any investigations related to the individuals or entities listed above, to include background, civil, and criminal investigative files.
- Calendars, schedules, daily planners, and journals.
- Visitor logs for the Office of the Governor and Mahonia Hall.
- Travel records including calendars, requests for permission to travel, travel itineraries, receipts for travel expenses, travel expense reports and/or requests for reimbursement, airline reservation confirmations, lodging reservation confirmations and invoices, and payments for airfare, lodging, meals, and entertainment.
- All documents and records relating to Cylvia Lynne Hayes' use of State of Oregon credit cards or other forms of payment, including monthly statements and payment history.
- Oregon state income tax returns for Cylvia Lynne Hayes and 3E Strategies.
- All documents, records, email communications, meeting minutes and/or notes relating to the following:
  - Genuine progress indicators (GPI) and related topics;
  - Alternative measure of economic output;
  - State of Oregon 10-year Plan;
  - Oregon Project;
  - Pacific Coast Collaborative Action Plan on Climate and Energy;
  - West Coast Clean Economy Action Plan;
  - Knott Landfill and waste-to-energy projects;
  - New measures of progress;
  - Sustainable economic development;
  - Oregon Prosperity Initiative;
  - Global Well-being and Gross National Happiness Lab / Bhutan;
  - Low carbon fuel standards, clean energy, and coal;
  - Proposed Port of Morrow Coal Terminal;
  - Ocean acidification;
  - Hix Rubenstein and Pronghorn Golf Course.
- All documents, records, meeting minutes and/or notes relating to contracts proposed, bid and awarded to Cylvia Lynne Hayes/3E Strategies, LLC including, but not limited to:
  - Final and drafts of requests for information/proposal, contracts, and performance reviews;
  - Bid submissions and related ranking evaluation and selection decision documents;
  - All correspondence, e-mail, telephone logs or record of other communications between and/or about the State of Oregon and Cylvia Lynne Hayes/3E Strategies;

**Attachment:**  
**State of Oregon – Department of Administrative Services**  
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**Subpoena #: JK-15-029**

- All correspondence, e-mail, memoranda, notes or other records relating to meetings between and/or about the State of Oregon and Cylvia Lynne Hayes/3E Strategies;
- All records of payment or monetary disbursements to Cylvia Lynne Hayes and/or 3E Strategies, LLC.
- All records relating to inquiries by local, city, or state entities concerning Cylvia Lynne Hayes and/or 3E Strategies, LLC and all replies to those inquiries.

For the above listed time period, any and all email communications from or to, or regarding, the following individuals:

- Cylvia Lynne Hayes
- John Albert Kitzhaber
- Greg Wolf
- Dan Carol
- Sean McGuire
- Mike Bonetto
- Mary Rowinski
- Jan Murdock
- Stormy Boyles
- Liani Reeves
- David Allaway
- Palmer Mason
- Nkenge Harmon-Johnson
- Michael Jordon
- Curtis Robinhold
- Arian Turpin
- Tracy Osburn

Any and all communications or correspondence, to include electronic communications, between the State of Oregon, and State of Oregon official or employee, and the following entities and affiliated individuals, to include but not limited to:

- Demos
  - Lew Daly
- Rural Development Initiatives
  - Craig Smith
- Energy Foundation
  - Elisabeth Banse
- Clean Economy Development Center
  - Jeff King

**NOTE:** To the extent that such information exists in electronic format, kindly provide the information in electronic format compatible for importation into (1) Quicken Personal Finance Software; (2) Microsoft software; (3) Adobe; or (4) a database in a delimited or fixed width text file. Please provide a list of descriptive definitions for the electronic data fields used to generate these reports. The data may be provided on a CD or DVD. Images of items should be in individual files in the same common format with image files corresponding to an identifier in the transaction record.

**Contact SA Jason Newport at (503) 460-8272 with any questions regarding the information requested.**

**PLEASE SEND ALL REQUESTED INFORMATION TO:  
SHARON GROVE, PARALEGAL SPECIALIST  
U.S. ATTORNEY'S OFFICE  
1000 SW THIRD AVENUE, SUITE 600  
PORTLAND, OR 97204-2902**