

RUSH HOLT
Twelfth District, New Jersey

1214 Longworth Building
Washington, D.C. 20515
202-225-5801
Fax 202-225-6025

50 Washington Road
West Windsor, NJ 08550
609-750-9365
Fax 609-750-0618

<http://holt.house.gov>



Congress of the United States

December 7, 2010

Chair
Select Intelligence Oversight Panel
Committee on Appropriations

Committee on Education
and Labor

Permanent Select Committee
on Intelligence

Committee on Natural Resources

The Honorable Eric Holder
Attorney General of the United States
950 Pennsylvania Avenue NW
Suite 5111
Washington, D.C. 20530

Dear Attorney General Holder:

I write to call your attention to the case of U.S. v. Rubashkin (Case No. 2:08-cr-01324-LRR). As you may know, the defendant, Sholom Rubashkin, was the chief executive officer of Agriprocessors, a kosher meatpacking company located in Postville, Iowa. Mr. Rubashkin was arrested after an immigration raid on the plant in May 2008. He was subsequently convicted on 86 counts of financial fraud and sentenced to 27 years in prison. A number of my constituents have expressed concern about serious allegations of judicial misconduct and unfair sentencing in this case. I respectfully request that you carefully review these allegations and take appropriate action to ensure that justice is served.

I understand that documents produced as a result of a Freedom of Information Act request by Mr. Rubashkin's defense attorneys suggest that the presiding federal judge, Linda Reade, may have participated in impermissible *ex parte* communications with prosecutors. Defense attorneys claim that Judge Reade's involvement in preparations for the May 2008 raid was not properly disclosed prior to the trial, and this prevented them from moving for her recusal. In addition, the 27 year sentence imposed by Judge Reade exceeded the request of prosecutors, and legal experts have argued that it is excessive and disproportionate.

Thank you for your past commitment to upholding the highest standards of professionalism, integrity, and justice in our judicial system. The allegations of misconduct in this case are troubling, and I believe they warrant your careful review. I appreciate your prompt attention to this matter, and I look forward to your reply.

Sincerely,

RUSH HOLT
Member of Congress