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April 7, 2011

The Honorable Eric Holder  
Attorney General of the United States  
950 Pennsylvania Ave., NW Suite 5111  
Washington, DC 20530

IN RE: U.S. v. Rubashkin Case No. 2:08-cd-01324-LRR (NDIA)

Dear Attorney General Holder:

I would like to bring to your attention a very serious matter concerning the criminal prosecution of Sholom Rubashkin, the former manager of the Agriprocessors kosher meatpacking plant in Postville, Iowa. While I am not privy to all of the details of the case, I have found the information provided to me by my constituents to be very troubling. I would ask that you consider the facts of the case and that you personally review the case to investigate if there were ex-parte communications between the judge in the case and government authorities who planned and participated in the raid.

As you know, the case against Sholom Rubashkin began when his kosher meatpacking plant was raided by federal agents in May 2008. Mr. Rubashkin was initially arrested on immigration violations, although these charges were eventually dropped. In the end, he was tried and found guilty of bank fraud and other white collar crimes in November 2009.

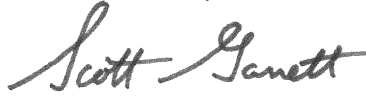
I am particularly concerned about the serious allegations of misconduct by the judge and the U.S. Attorneys in this case. It is my understanding that in the six months leading up to the raid, the judge who later presided over Mr. Rubashkin's immigration case had detailed discussions with the United States Attorney and immigration officials who participated in the raid. These discussions were not disclosed during Mr. Rubashkin's trial. Only after he was sentenced did his attorney learn of these discussions through a Freedom of Information Act request.

To my knowledge, all Congressional requests for inquiry have been referred to the U.S. Attorney's office for the Northern District of Iowa, the very office that allegedly took part in the ex-parte meetings before the raid. In order to ensure that justice is being served, I formally

request an inquiry into the ex-parte communications that occurred between the judge and the government authorities who planned and participated in the raid.

I ask that you personally investigate these allegations of misconduct of the judge and Department of Justice, and I look forward to hearing the outcome of your investigation. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Scott Garrett". The signature is written in dark ink and is positioned above the printed name.

Scott Garrett

Member of Congress