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2008

### 2008-09-26 H. Thomas Wells, Jr. ABA Presidential Correspondence

H. Thomas Wells Jr.

University of Alabama School of Law

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# CORRESPONDENCE LOG

**H. Thomas Wells, Jr.**

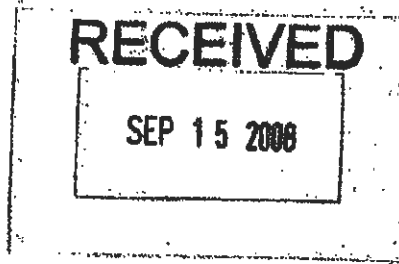
September 26, 2008

Origin	Correspondence	Date	Rcvd	Status (All suggested dispositions subject to review by TW)	CCs (Informational copies)
AL	<b>Harvey I. Saferstein</b> Los Angeles, CA Ltr - congratulations on great picture and article in the LA Daily Journal	9/12	9/15	NRN	
AL	<b>Bernard Amyot, Past President</b> The Canadian Bar Association Ltr - thanks for presence at the CBA Annual Mtg	9/9	9/15	NRN	
IL	<b>Stephanie Lockhart Gin, CMP</b> The Canadian Bar Association Note - pleasure meeting TW at the gala event; (enclosed a baby t-shirt)	-	9/23	TW responded on 9/29/08	
IL	<b>Manning Warren</b> University of Louisville School of Law Ltr - congratulations on election as Pres. of ABA	9/11	9/16	NRN	
IL	<b>Harvey M. Tettlebaum</b> Jefferson City, MO Ltr - thanks for appt. to the StC on Election Law	9/8	9/19	NRN	
IL	<b>Jack B. Middleton</b> Manchester, NH Ltr - enclosed Op-Ed piece from local newspaper, <i>The Union Leader</i>	9/19	9/22	NRN	Nancy Slonim
IL	<b>Henry A. Waxman, Chairman</b> Cmte on Oversight & Government Reform Congress of the United States Ltr - seeking applications from individuals interested in being considered for the position of the Comptroller General of the U.S.	9/16	9/24	Forwarded to GAO	
IL	<b>Francois Rolland, Chief Justice</b> Superior Court of Quebec Ltr - thanks for letter of Aug. 21 with the little green book of golf law	9/11	9/25	NRN	
AL	<b>Richard B. Teitelman, Judge</b> Supreme Court of Missouri Ltr - requests commemoration letter re the new federal courthouse in the name of Rush Limbaugh, Sr.	9/24	9/26	OP will handle	
AL	<b>Timothy W. Bouch</b> Thank you note	--	9/26	NRN	

# MINTZ LEVIN

Harvey I. Saferstein | [hsaferstein@mintz.com](mailto:hsaferstein@mintz.com)

2029 Century Park East, Suite 1370  
Los Angeles, CA 90067  
310-586-3200  
310-586-3202 fax  
[www.mintz.com](http://www.mintz.com)



September 12, 2008

H. Thomas Wells, Jr.  
Maynard Cooper & Gale  
1901 6th Avenue North, Suite 2400  
Birmingham, AL 35203-218

Dear Tommy,

Just a note to congratulate you on the great picture and article in the LA Daily Journal. Best of luck!

Sincerely,

A handwritten signature in dark ink, appearing to read "H. Saferstein".

Harvey I. Saferstein

HIS:jl

4426968v.1

UNRECORDED COPY OF ORIGINAL DOCUMENT  
THIS IS A COPY OF THE ORIGINAL DOCUMENT AS FILED IN THE PUBLIC RECORDS OF THE COUNTY OF LOS ANGELES, CALIFORNIA

SEP 15 2008

**Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.**

BOSTON | WASHINGTON | NEW YORK | STAMFORD | LOS ANGELES | PALO ALTO | SAN DIEGO | LONDON



CABINET DU PRÉSIDENT SORTANT  
OFFICE OF THE PAST PRESIDENT

**Bernard Amyot**  
1250, René-Lévesque Blvd. West  
Suite 2500  
Montreal, Quebec H3B 4Y1  
Tél/Tel: (514) 846-2321  
Fax/Télécop.: (514) 921-1321  
E-mail/Courriel: bamyt@hesnan.ca

**RECEIVED**

SEP 15 2008

PERSONAL

Montreal, Tuesday, September 9, 2008

**Mr. H. Thomas Wells Jr.**  
President – *American Bar Association*  
1901 Sixth Avenue North  
Suite 2400 AmSouth/Harbert Plaza  
Birmingham, Alabama 35203  
U.S.A.

Dear Tommy,

Thank you very much for your kind letter of August 25th last and also for your presence at our *CBA* Annual Meeting in Quebec City.

Thank you very much also for the beautiful gifts that you and Jan so kindly offered to Francine and me on that occasion.

This has been an extremely exhilarating past year for us and I wish you and Jan all the very best for your upcoming year at the helm of the *ABA*.

I hope that I will get the chance to see you again during the course of the next few hectic months for you. In the meantime, I am still hoping that a *SPAGO* spot will open up for me this coming October!

Best personal regards,

  
**Bernard Amyot**

BAées  
HBdocs : 4886738v1

Mr. Wells,  
It was a pleasure  
meeting you at the Fairmont  
Chateau Frontenac gala event  
in Québec!  
Stephanie

Office of the President  
SEP 22 2008  
RECEIVED



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E-Mail/Courriel : [info@cba.org](mailto:info@cba.org)



THE CANADIAN BAR ASSOCIATION  
L'ASSOCIATION DU BARREAU CANADIEN

cba.org

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fax/télc. : 613.237.3726  
email/courriel : [slockhart@cba.org](mailto:slockhart@cba.org)

Baby T-shirt  
mailed 9-23-08

# UNIVERSITY of LOUISVILLE

Manning G. Warren III  
H. Edward Harter  
Chair of Commercial Law

Louis D. Brandeis School of Law  
University of Louisville  
Louisville, Kentucky 40292

Office: 502-852-7383  
Fax: 502-852-0862  
mgw111@louisville.edu

September 11, 2008

Mr. H. Thomas Wells  
President  
American Bar Association  
321 N. Clark Street  
Chicago, IL 60654-7598

Dear Tom:

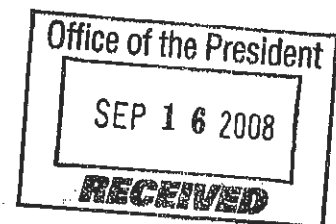
This is just to congratulate you on your election as President of the American Bar Association. The ABA couldn't be in better hands.

I enjoyed your opening message on access to justice. Best wishes for a satisfying year. Maybe one of these days our paths will cross again.

Sincerely,



Manning Warren



September 8, 2008

Mr. H. Thomas Wells, Jr.  
President  
American Bar Association  
321 North Clark Street  
Chicago, IL 60654-7598

Re: ABA Standing Committee on Election Law

Dear Mr. Wells:

Thank you so much for the appointment to the Standing Committee on Election Law for a three-year term. I am delighted with the ability to continue to serve the American Bar Association in this way.

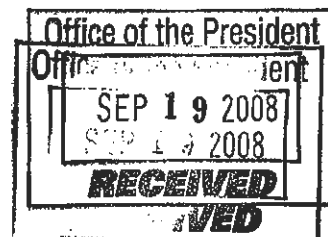
Good luck on your ensuing year as President of the American Bar Association.

Sincerely,



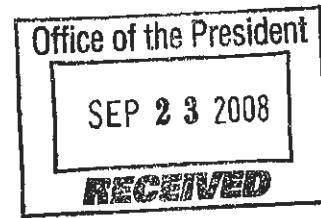
HARVEY M. TETTLEBAUM

HMT:mh





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Email: jack.middleton@mclane.com  
Licensed in NH

September 19, 2008

H. Thomas Wells, Jr.  
President  
American Bar Association  
321 N. Clark Street  
Chicago, IL 60654-7598

Dear Tommy:

I could not help but think about you when I saw the enclosed Op-Ed piece in our ultraconservative local newspaper, *The Union Leader*. From my standpoint, at least we seem to be on the right side of this issue.

Hope you have a very successful year. Very best regards.

Sincerely,

  
Jack B. Middleton

JBM/jc  
Enclosure

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September 19, 2008 5:12:09 PM



9/12/08

# The American Bar Association is a racist pressure group

**M**Y LAST column demonstrated the harm suffered by black students that results from law school race-based admission policies. The bottom line was that black students who might have done well at lower-tier law schools were recruited to more highly competitive law schools and turned into failures. One might be tempted to place the full blame for such callousness on deans of law schools, but the true villain is the American Bar Association.

The American Bar Association is the accreditation agency for all law schools. If a law school has not been accredited by the ABA, it is ineligible for federal funding; its students are ineligible

## COMMENTARY

Walter E. Williams

for student loans; most states do not allow graduates of a non-ABA-accredited law school to sit for the bar examination. As Professor Gail Heriot says in her article "Affirmative Action in American Law Schools," in the *Journal of Contemporary Legal Issues*, "A law school that is not in the good graces of the ABA is thus not a law school at all."

George Mason University Law School's experience provides an excellent example of ABA abuse. In 2004, the ABA summoned the university president and the law school dean before its Accreditation Committee and threatened

the institution with revocation of its accreditation for its supposed lack of diversity. Shivering in their boots, the GMU administration reported a diversity improvement since the ABA's site visit in 2000. Their entering class of 2003 was 17 percent minority, and their 2004 class was 19 percent minority, and they had appointed a diversity czar.

Despite these efforts, the ABA was not satisfied. They complained that of the 99 minority students admitted in 2003, only 23 were black, and of the 111 minorities admitted in 2004, still only 23 were black, even though in 2004, 63 black students had been offered admission.

Virginia has two other major public law schools, the Col-

lege of William & Mary and the University of Virginia. They did not win the ire of the ABA because, unlike GMU, they practiced a racially discriminatory admissions policy. The Center for Equal Opportunity monitors racially discriminatory college policy. Their publication, "Racial and Ethnic Preferences at the Three Virginia Public Law Schools" ([www.ceousa.org/content/view/467/119/](http://www.ceousa.org/content/view/467/119/)), reported that at the University of Virginia, a student with an LSAT score of 160 and an undergraduate GPA of 3.25 had a 96 percent chance of admission if he or she were black, but only a 3 percent chance of admission if white. At William & Mary, a black with a LSAT score of 155 and an

undergraduate GPA of 3.0 had a 92 percent chance of being admitted while a white with the same credentials had a 3 percent chance of admission.

At GMU, not having racist policies, the chances for admission were roughly the same. Blacks with a LSAT of 155 and an undergraduate GPA of 3.0 had a 53 percent chance of admission while similar whites had a 50 percent chance.

The bullying practices of the ABA are truly a wicked, disgusting perversion. George Mason University Law School, which does not have a racially discriminatory admissions policy, is brought on the carpet by the ABA whilst University of Virginia and William & Mary, which have

racially discriminatory admissions policies, have little problem. The sad fact of the matter is the ABA holds enormous life and death power over law schools, and they must cave in to ABA demands or else.

Several years ago, I taught Economic Foundations of Legal Studies at George Mason University Law School. I have attended many of its lecture series and social functions. As such, I can attest to the high quality and moral stature of its faculty and administration. It pains me to see my distinguished colleagues being forced to cave in to the racist demands of the American Bar Association.

Walter E. Williams is a professor of economics at George Mason University.

D. P. ... Trickey

*"There is Nothing So Powerful As Truth" — Daniel Webster*

## Union Leader Corporation

William Loeb, President and Publisher, 1946-1981

Nackey S. Loeb, President and Publisher, 1981-

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ONE HUNDRED TENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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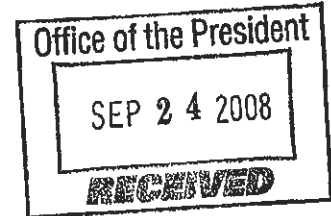
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BILL SALI, IDAHO  
JIM JORDAN, OHIO



September 16, 2008

Mr. H. Thomas Wells, Jr.  
President  
American Bar Association  
321 North Clark Street  
Chicago, IL 60654-7598

Dear Mr. Wells:

On behalf of the Comptroller General Commission, I am writing to inform you that the Commission is now seeking applications from individuals interested in being considered for the position of the Comptroller General of the United States. I urge you to share this letter and its description of the application process with individuals you believe may be qualified to serve as Comptroller General.

The Comptroller General is the head of the Government Accountability Office, the audit and investigative arm of Congress. As you may know, the Comptroller General is appointed by the President with the advice and consent of the Senate. Under statute, a ten-member congressional commission is established upon the vacancy of the position to recommend at least three individuals to the President. The chair of the commission, House Speaker Nancy Pelosi, has asked me to manage the administrative functions of the commission.

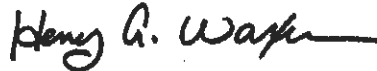
Interested applicants should submit a resume and a cover letter explaining their qualifications to the Committee on Oversight and Government Reform, 2157 Rayburn House Office Building, U.S. House of Representatives, Washington, DC, 20515. They should also complete the enclosed questionnaire, which is also available through the Committee website ([www.oversight.house.gov](http://www.oversight.house.gov)). These materials should be sent to me and directed to the attention of Kristin Amerling, the Committee's Chief Counsel.

An announcement describing the position and application process is also enclosed with this letter.

Mr. H. Thomas Wells, Jr.  
September 16, 2008  
Page 2

If you have any questions, please do not hesitate to contact Ms. Amerling at (202) 225-5051 or [Kristin.Amerling@mail.house.gov](mailto:Kristin.Amerling@mail.house.gov).

Sincerely,



Henry A. Waxman

Enclosure

cc: Nancy Pelosi, Speaker of the House  
Robert C. Byrd, President Pro Tempore of the Senate  
Steny H. Hoyer, Majority Leader of the House  
John Boehner, Minority Leader of the House  
Harry Reid, Majority Leader of the Senate  
Mitch McConnell, Minority Leader of the Senate  
Tom Davis, Ranking Member, House Committee on Oversight and Government Reform  
Joseph I. Lieberman, Chairman, Senate Committee on Homeland Security and Governmental Affairs  
Susan M. Collins, Ranking Member, Senate Committee on Homeland Security and Governmental Affairs

### The Application Process for Comptroller General Candidates

The Congressional Comptroller General Commission is now seeking applications from individuals interested in filling the position of the Comptroller General of the United States, which is currently vacant.

The Comptroller General leads the independent, nonpartisan United States Government Accountability Office, an agency with over 3,000 employees and an annual budget of over \$500 million. GAO supports Congress by investigating the use of public money; evaluating programs and activities of the United States government; and auditing the accounts and operations of federal agencies and the District of Columbia government. The Comptroller General has a term of 15 years.

The Comptroller General is appointed by the President with the advice and consent of the Senate. Under statute, a ten-member congressional commission is established upon the vacancy of the position to recommend at least three individuals to the President. Current Commission members are Nancy Pelosi, Speaker of the House; Robert C. Byrd, President Pro Tempore of the Senate; Steny H. Hoyer, Majority Leader of the House; John Boehner, Minority Leader of the House; Harry Reid, Majority Leader of the Senate; Mitch McConnell, Minority Leader of the Senate; Henry A. Waxman, Chairman, House Committee on Oversight and Government Reform; Tom Davis, Ranking Member, House Committee on Oversight and Government Reform; Joseph I. Lieberman, Chairman, Senate Committee on Homeland Security and Governmental Affairs; and Susan M. Collins, Ranking Member, Senate Committee on Homeland Security and Governmental Affairs.

Interested applicants should submit a resume and a cover letter explaining their qualifications to the Commission and also complete a Commission questionnaire. The questionnaire is available on the website of the House Committee on Oversight and Government Reform at [www.oversight.house.gov](http://www.oversight.house.gov). These materials should be sent for distribution to the Commission to Henry A. Waxman, Chairman, House Committee on Oversight and Government Reform, US House of Representatives, 2157 Rayburn House Office Building, Washington, DC, 20515, Attention: Kristin Amerling, Chief Counsel.

**CANDIDATE QUESTIONNAIRE**  
**COMPTROLLER GENERAL, GOVERNMENT ACCOUNTABILITY OFFICE**

**A. BIOGRAPHICAL INFORMATION**

1. **Name:** (Include any former names used.)
2. **Address:** (List current place of residence and office addresses.)
3. **Date and place of birth:**
4. **Marital status:** (Include maiden name of wife or husband.)
5. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
6. **Employment record:** List all jobs held since college, including the title or description of job, name of employer, location of work, and dates of employment.
7. **Military Service:** List any military service, including dates, rank, and type of discharge.
8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, other than those listed above, and the dates of such positions.
9. **Security Clearance:** Have you ever held a U.S. government security clearance? If so, please provide details on the dates and type of clearance.
10. **Previous Appointments:** Have you ever been nominated for a position requiring confirmation by the Senate? If so, please list each such position, including the date of nomination, Senate confirmation, and Committee hearing, if any.
11. **Business relationships:** List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution, and the dates of such positions.
12. **Memberships:** List all memberships and offices held in professional, business, fraternal, scholarly, civic, public, charitable, and other organizations.
13. **Political affiliations and activities:**
  - (a) List all offices with a political party which you have held or any public office for which you have been a candidate.

## POLICY QUESTIONS

1. How would you describe the mission of the Government Accountability Office?
2. What do you believe are the most important functions and role of the Comptroller General?
3. Why are you interested in serving as the Comptroller General, and what would you hope to accomplish?
4. What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?
5. Some analysts have suggested the next Comptroller General be well-versed in business management practices and information technology. Others maintain that the position demands a thorough background in auditing and accounting. What are your views?
6. How do you envision the relationship and responsibilities of GAO to (a) the President, (b) the Congress, and (c) other executive branch agencies?
7. GAO's reputation for integrity through the years has depended upon its objectivity, independence, and non-partisanship. How will you carry on this tradition, and what specifically in your background demonstrates your ability to do so?
8. What do you believe are the most important accomplishments of GAO in the recent past, from an organizational and operational perspective?
9. Where do you see the greatest need for improvement with respect to GAO's organization and operations? How would you propose they be addressed?
10. What would your top priorities be as Comptroller General? How would you maintain GAO's vitality while attracting and retaining a competent work force?
11. In recent years, there have been several bills introduced which would make changes to GAO's statutory authority. What, if any, statutory modifications do you think Congress should give serious consideration to at this time?
12. If nominated and confirmed, do you expect to serve out the full 15-year term?



*Superior Court of Quebec  
Chambers of the Chief Justice*

September 11, 2008

Mr. H. Thomas Wells, Jr. President  
American Bar Association  
321, North Clark Street  
Chicago, IL 60654-7598

Dear Tom,

I acknowledge receipt of your letter dated August 21, 2008 with the enclosed little green book of golf law, and thank you for same.

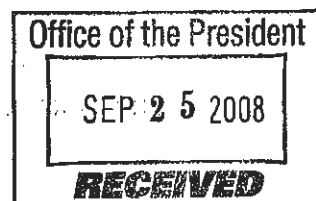
I have really enjoyed playing golf with you during that Famous tournament, and I am glad that I have been able to birdie the last hole, to compensate my mediocre performance.

I thank you for your offer and be assured that if I am in the vicinity of Birmingham, I will communicate with you.

Yours truly,

François Rolland,  
Chief Justice of the  
Superior Court of Quebec

FR/lm



**Court House**

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Supreme Court of Missouri

P. O. Box 150

Jefferson City, Mo. 65102

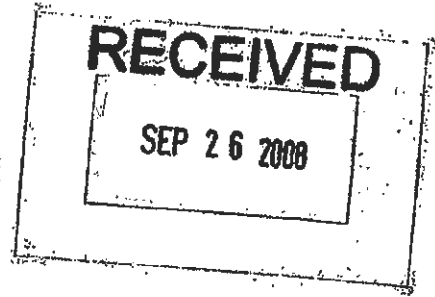
RICHARD B. TEITELMAN, JUDGE

(573) 751-1004

FAX (573) 751-7161

riteilm@courts.mo.gov

September 24, 2008



H. Thomas Wells, Jr.  
Maynard Cooper & Gale  
1901 6<sup>th</sup> Avenue N Suite 2400  
Birmingham AL 35203-2618

Dear Tommy,

On October 6, 2008 in Cape Girardeau, Missouri there will be a dedication of a new \$40 million federal courthouse in the name of Rush Limbaugh, Sr.

Rush Limbaugh, Sr. was president of the Missouri Bar probably in the early 1960's. He lived to be 104 years old, and he went to his office every day even at the age of 100. He was very involved in the ABA and was a member, I believe, on the ABA committee studying the Bill of Rights from 1959-1966. He served also on the original Section of Individual Rights and Responsibilities, I believe, in 1964.

His son, Stephen Limbaugh, Sr. was a federal district judge from 1981-2008, and Rush's grandson, Stephen Limbaugh, Jr. is now a new federal district judge in the Eastern District of Missouri. Mr. Limbaugh was a venerated lawyer and member of the bar. Indeed, his son, Stephen Limbaugh, Sr. was president of the Missouri Bar before becoming a federal judge. In securing the new federal courthouse in Cape Girardeau, every member of the congressional delegation, both Democrat and Republican, signed off on the proposal. I am sure every past-president of the Missouri Bar will be present at the dedication of the new courthouse on Oct. 6<sup>th</sup>.

I thought it would be nice if you could send a letter to Stephen N. Limbaugh, Jr. commemorating this momentous event. His address is:

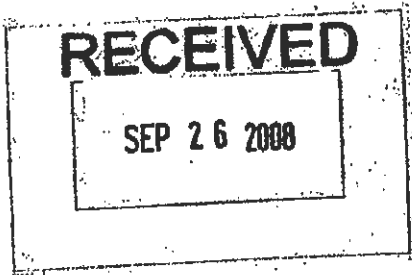
The Honorable Stephen N. Limbaugh, Jr.  
U. S. District Court  
Rush Hudson Limbaugh, Sr. Courthouse  
555 Independence, Suite 4000  
Cape Girardeau, MO 63701

Best regards,

Rick Teitelman

P.S. The history given in the earlier part of this letter is somewhat sketchy -- I'm sure the records of the ABA are more accurate.





TIMOTHY W. BOUGH

Dear Terry

Thank you for making the time to see  
me but wish and thank you for the offer on the  
Judicial Program. I hope to have the money for your  
shilling on money in Oct. Congratulations on the  
new grand daughter. I will send you doll house plans.  
See you soon. Best to you. Tim