

**Supplemental Follow-Up Questions
for Ms. Tracy Stone-Manning
dated July 10, 2021**

Tree Spiking Incident

Question 1: Various media reports indicate that you were subpoenaed along with six other residents of Missoula, Montana (Timothy Bechtold, Ron Erickson, Jake Kreilick, Bill Haskins, John Lilburn, and Jennifer Johnson) to provide evidence before a grand jury in Boise, Idaho in October 1989 in connection with a tree spiking incident in the Clearwater National Forest in Idaho in 1989. A May 21, 1993 article in *The Missoulian* entitled “Woman trades her testimony for immunity in spiking case” reported that you and the others were required “to appear before the grand jury to provide physical evidence, including handwriting and hair samples.” Another article published on November 10, 1989 in the *Montana Kaimin* entitled “Professor and students haven’t heard from FBI since Oct. 4” reported that you and the others were required “to submit fingerprints, palm prints, handwriting samples, and hair samples to a Grand Jury in Idaho on Oct. 4.” That article confirmed: “All of the people submitted the evidence to federal agents.” An earlier October 5, 1989 article in the *Montana Kaimin* entitled “UM professor subpoenaed in tree-spiking incident” cited Tom King, a U.S. Forest Service law enforcement officer, who “confirmed that the subpoenas resulted from an investigation into a tree spiking incident that took place in the spring of 1989 near Powell, Idaho.” According to that article: “FBI Agent Mike Merkely, who delivered the subpoenas, would not say whether Erickson or the others are suspects in the case. But Jake Kreilick, one of the students, said the subpoenas ask for fingerprints, palm prints, handwriting samples, and hair samples. ‘That indicates to me that I’m a suspect,’ he said.” An article published in Spokane, Washington’s *Spokesman-Review* on August 5, 1990 entitled “Tree spiking probe of professor still open after a year” recirculated a *New York Times* report that quoted one of your professors at the University of Montana recalling that in August 1989 the Federal Bureau of Investigation “told me that I was under investigation for tree spiking.” The article stated that you were “subjected to the same routine as [your] professor” and “remains angered by her experiences with the FBI.” The article quoted you: “It was degrading. It changed my awareness of the power of government. Yes, this was happening to me and not someone in Panama. And, yes, the government does do bad things sometimes.” The article noted that, according to the U.S. Attorney in Boise, Idaho handling the tree spiking case, “the investigation continues.”

Please respond fully and completely to the following questions:

- a. Please fully and completely describe the details and circumstances of your appearance before the federal grand jury in Boise, Idaho in October 1989, including, but not limited to:
 - Were you issued a subpoena to appear before the federal grand jury?
 - Did you appear before the federal grand jury?
 - Did you receive immunity to appear before the grand jury?

- Please provide any and all documents associated with your appearance before the federal grand jury.
 - Please provide the case number or other information to identify the public record of the proceeding.
- b. Please fully and completely describe the details and circumstances of your production of physical evidence to the federal grand jury in Boise, Idaho, in October 1989, including, but not limited to:
- Were you issued a subpoena to provide physical evidence to the federal grand jury?
 - Were you issued a subpoena to provide fingerprints to the federal grand jury?
 - Were you issued a subpoena to provide palm prints to the federal grand jury?
 - Were you issued a subpoena to provide handwriting samples to the federal grand jury?
 - Were you issued a subpoena to provide hair samples to the federal grand jury?
 - Did you provide physical evidence to the federal grand jury?
 - Did you provide fingerprints to the federal grand jury?
 - Did you provide palm prints to the federal grand jury?
 - Did you provide handwriting samples to the federal grand jury?
 - Did you provide hair samples to the federal grand jury?
 - Please provide any and all documents associated with your production of physical evidence to the federal grand jury.
 - Please provide the case number or other information to identify the public record of the proceeding.
- c. Please describe the details and circumstances of your relationship with each of the six other residents of Missoula, Montana who were subpoenaed by the federal grand jury in Boise, Idaho in October 1989 (Timothy Bechtold; Ron Erickson; Jake Kreilick; Bill Haskins; John Lilburn; and Jennifer Johnson), including, but not limited to:
- For each of the six other subpoenaed individuals, did you ever live at Sherwood House at the same time as that individual? If so, during what period(s) of time?

- For each of the six other subpoenaed individuals, did you have personal knowledge of that individual participating in activities associated with the spiking of trees?
 - For each of the six other subpoenaed individuals, did you ever discuss with that individual the spiking of trees?
 - For each of the six other subpoenaed individuals, did you ever participate in any activities with the environmental activist group, Earth First!, at the same time and in the presence of that individual?
 - For each of the six other subpoenaed individuals, did you have personal knowledge of that individual participating in activities associated with the federal grand jury in Boise, Idaho, in October 1989?
 - For each of the six other subpoenaed individuals, did you ever discuss with that individual his or her subpoena by, appearance before, and production of physical evidence to the federal grand jury in Boise, Idaho, in October 1989?
 - For each of the six other subpoenaed individuals, did you ever discuss with that individual your subpoena by, appearance before, and production of physical evidence to the federal grand jury in Boise, Idaho, in October 1989?
 - For each of the six other subpoenaed individuals, did you have personal knowledge of any federal, state, or local law enforcement investigation into any activities conducted by that individual, including, but not limited to, those associated with the tree spiking incident in the Clearwater National Forest in Idaho, in 1989?
 - For each of the six other subpoenaed individuals, did you ever discuss with that individual any federal, state, or local law enforcement investigation into any activities conducted by that individual, including, but not limited to, those associated with the tree spiking incident in the Clearwater National Forest in Idaho in 1989?
 - For each of the six other subpoenaed individuals, did you ever discuss with that individual any federal, state, or local law enforcement investigation into any activities conducted by you, including, but not limited to, those associated with the tree spiking incident in the Clearwater National Forest in Idaho, in 1989?
 - For each of the six other subpoenaed individuals, do you maintain contact with that individual, and more specifically, have you had any interactions with that individual since 1989?
- d. Please describe the details and circumstances of your relationship with each of the listed federal law enforcement agents and prosecutors who were involved in the investigation into the tree spiking incident in the Clearwater National Forest in 1989 (Tom King, a U.S. Forest Service law enforcement agent; Mike Merkley, a U.S. Forest Service law

enforcement agent mistakenly identified as an FBI agent in the October 5, 1989 article in the *Montana Kaimin*; Brian Castaldi, a U.S. Forest Service law enforcement agent; Maurice Ellsworth, a U.S. Attorney; George Breitsameter, an Assistant U.S. Attorney; Ronald Howen, an Assistant U.S. Attorney), including, but not limited to:

- For each of the six listed federal law enforcement agents and prosecutors, did you ever meet that individual?
 - For each of the six listed federal law enforcement agents and prosecutors, did you ever speak with that individual?
 - For each of the six listed federal law enforcement agents and prosecutors, did you ever correspond with that individual?
 - For each of the six listed federal law enforcement agents and prosecutors, did you first initiate contact with that individual, or did that individual first initiate contact with you?
 - For each of the six listed federal law enforcement agents and prosecutors, did you ever discuss with that individual any activities conducted by you associated with the tree spiking incident?
 - For each of the six listed federal law enforcement agents and prosecutors, did you ever discuss with that individual any activities conducted by any person other than you associated with the tree spiking incident?
 - For each of the six listed federal law enforcement agents and prosecutors, did an attorney ever represent you in your communications with that individual?
 - For each of the six listed federal law enforcement agents and prosecutors, have you had any additional contact or communications with that individual since 1989? If so, regarding what issues or topics?
- e. As noted above, the October 5, 1989 *Montana Kaimin* article stated: “But Jake Kreilick, one of the students, said the subpoenas ask for fingerprints, palmprints, handwriting samples, and hair samples. ‘That indicates to me that I’m a suspect,’ he said.”
- Did you ever discuss with Mr. Kreilick his receipt of the subpoena?
 - Did you ever discuss with Mr. Kreilick his belief that his receipt of the subpoena indicated that he was a suspect?
 - Do you believe that it was reasonable for Mr. Kreilick to interpret his receipt of a subpoena to compel his production to a federal grand jury of his fingerprints, palmprints, handwriting samples, and hair samples as an indication that he was a suspect in a potential violation of law?

- Do you believe that it is reasonable for a person who receives a subpoena to compel production to a federal grand jury of that person’s fingerprints, palmprints, handwriting samples, and hair samples to interpret the subpoena as an indication that he or she is being investigated for a potential violation of law?
- f. As noted above, the August 5, 1990 *Spokesman-Review* article recirculating a *New York Times* report characterized Ron Erickson as one of your professors at the University of Montana. The article quoted Mr. Erickson as recalling that in August 1989 the Federal Bureau of Investigation “told me that I was under investigation for tree spiking.” The article stated that you were “subjected to the same routine as [your] professor.” It cited you as saying that you remained “angered by [your] experiences with the FBI.” It quoted you: “It was degrading. It changed my awareness of the power of government. Yes, this was happening to me and not someone in Panama. And, yes, the government does do bad things sometimes.” The article noted that, according to Maurice Ellsworth, the U.S. Attorney in Boise, Idaho handling the tree spiking case, “the investigation continues.”
- Were you approached or otherwise contacted by a Federal Bureau of Investigation law enforcement agent in August 1989 or at any other time in association with an investigation into the tree spiking incident?
 - Were you approached or otherwise contacted by a U.S. Forest Service law enforcement agent in August 1989 or at any other time in association with an investigation into the tree spiking incident?
 - Were you approached or otherwise contacted by a law enforcement agent from any other federal, state, or local law enforcement agency in August 1989 or any other time in association with an investigation into the tree spiking incident?
 - Were you told by a Federal Bureau of Investigation law enforcement agent in August 1989 or at any other time that you were under investigation for the tree spiking incident?
 - Were you told by a U.S. Forest Service law enforcement agent in August 1989 or at any other time that you were under investigation for the tree spiking incident?
 - Were you told by a law enforcement agent from any other federal, state, or local law enforcement agency in August 1989 or at any other time that you were under investigation for the tree spiking incident?
 - What specifically “angered” you with regard to your “experiences with the FBI,” and what specifically was “degrading,” and what specifically were the “bad things” the government did to you?
 - Were the Federal Bureau of Investigation and its law enforcement agents courteous?
 - Were the Federal Bureau of Investigation and its law enforcement agents polite?

- Were the Federal Bureau of Investigation and its law enforcement agents professional?
- Did the Federal Bureau of Investigation and its law enforcement agents verbally assault you?
- Did the Federal Bureau of Investigation and its law enforcement agents physically assault you?
- Did the Federal Bureau of Investigation and its law enforcement agents lie to you?
- Did the Federal Bureau of Investigation and its law enforcement agents violate any of your legal rights?
- Were the Federal Bureau of Investigation and its law enforcement agents investigating a potentially serious crime?
- Were the Federal Bureau of Investigation and its law enforcement agents wrong to investigate you?
- During your experiences with the Federal Bureau of Investigation leading up to the August 5, 1990 article, did you inform the Federal Bureau of Investigation or any other law enforcement agency of your role in preparing and mailing the letter on behalf of the tree spikers to the U.S. Forest Service?
- During your experiences with the Federal Bureau of Investigation leading up to the August 5, 1990 article, did you inform the Federal Bureau of Investigation or any other law enforcement agency of your personal knowledge of the identities of the tree spikers?
- In response to your experiences with the Federal Bureau of Investigation leading up to the August 5, 1990 article, did you file a complaint with the Federal Bureau of Investigation, any other law enforcement agency, any federal court, any other government agency, any non-governmental organization, or any other relevant entity regarding your treatment by the Federal Bureau of Investigation and its law enforcement agents?
- At the time of the article, did you believe in the mission of the Federal Bureau of Investigation and other law enforcement agencies to investigate violations of law, including those associated with tree spiking?
- Today, do you believe in the mission of the Federal Bureau of Investigation and other law enforcement agencies to investigate violations of law, including those associated with tree spiking?

- How was your “awareness of the power of government” specifically changed, and what did you mean by your statement: “Yes, this was happening to me and not someone in Panama.”?
 - Did you believe that the government’s investigation into the tree spiking incident was inappropriate?
 - Did you believe that the government’s investigation into the tree spiking incident was illegal?
 - Did you believe that the government’s investigation into the tree spiking incident was corrupt?
 - Did you believe that the government’s investigation into your role in the tree spiking incident was inappropriate?
 - Did you believe that the government’s investigation into your role in the tree spiking incident was illegal?
 - Did you believe that the government’s investigation into your role in the tree spiking incident was corrupt?
 - Did you believe that you were unfairly targeted at that time?
 - Do you believe any or all of these things today?

Question 2: On June 25, 2021, *E&E News* published an article titled “Agent: BLM nominee was an early target in tree-spiking case.” The article cited a retired federal law enforcement agent who investigated you in connection with your role in a conspiracy to spike trees in the Clearwater National Forest in Idaho in 1989. The article stated:

“A retired federal law enforcement agent who investigated the 1989 tree-spiking incident...said investigators suspected [Ms. Stone-Manning] of knowing about the crime before she began to cooperate with the probe.

“The official, who agreed to talk on the condition he not be identified, said she did not initially help authorities identify two men who were eventually convicted of spiking hundreds of trees in an Idaho national forest. This initial lack of cooperation with law enforcement set the investigation back by several years, he said.

“‘She absolutely refused to do anything,’ to advance the investigation, the retired officer said...

“The federal investigator said he considered her a target of the grand jury investigation.

“Stone-Manning, a graduate student at the University of Montana at the time, was required to submit hair samples, fingerprints, palm samples and a writing sample.

“That’s because investigators found a sweater at the tree-spiking site, along with a hair sample and short, handwritten note. The origins of the sweater and note were never identified, the former investigator said...

“The case went dormant until 1992, when Blount’s former common-law wife reached out to the FBI to identify Blount and Fairchild as the men who spiked trees. The woman also told investigators that Stone-Manning is the one who sent the letter to the Clearwater National Forest, the retired investigator said.

“I got a call from the FBI in Boston, Mass., asking me if I had a tree-spiking case here. I said ‘Yes.’ He said, ‘Guess what? I have a lady right here in my office who can furnish you with the information you need,’ the retired investigator said.

“The former investigator said that Stone-Manning agreed to testify after this information was presented to her.

“The only reasons that Tracy Stone-Manning became a cooperator, if you want to call it that, is because she was caught,’ he said.”

Please respond fully and completely to the following questions:

- a. On what date were you first contacted by law enforcement authorities in connection with the tree spiking incident?
- b. On what date did you first contact law enforcement authorities in connection with the tree spiking incident?
- c. How many times and on what dates were you contacted by law enforcement authorities in connection with the tree spiking incident?
- d. How many times and on what dates did you contact law enforcement authorities in connection with the tree spiking incident?
- e. What was the name of each law enforcement officer (and corresponding law enforcement agency he or she represented) with whom you communicated in connection with the tree spiking incident?
- f. Did you cooperate with law enforcement authorities in connection with their investigation into the tree spiking incident?
- g. On what date did you begin to cooperate with law enforcement authorities in connection with their investigation into the tree spiking incident?
- h. What was the nature of your cooperation? Please be as specific as possible.
- i. On what date did you inform law enforcement authorities of your role in preparing and mailing the letter informing the U.S. Forest Service of the tree spiking incident?

- j. Did you first inform law enforcement authorities of your role in preparing and mailing the letter to the U.S. Forest Service, or did law enforcement authorities first inform you that they already knew of your role?
- k. On what date did you inform law enforcement authorities of the identities of the persons involved in the tree spiking incident?
- l. Did you first inform law enforcement authorities of the identities of the persons involved in the tree spiking incident, or did law enforcement authorities first inform you that they already knew of their identities?
- m. What persons did you identify for law enforcement authorities as being involved in the tree spiking incident?
- n. Did you ever visit the site of the tree spiking incident in the Clearwater National Forest in Idaho at any time before, during, or after the spiking of trees occurred in the spring of 1989?
 - If so, did you wear a sweater?
 - If so, did you leave a sweater?
 - If so, did you leave a handwritten note?
- o. Do you have personal knowledge of any person intentionally or accidentally leaving a sweater at the site of the tree spiking incident in the Clearwater National Forest in Idaho at any time before, during, or after the spiking of trees occurred in the spring of 1989?
- p. Did you ever discuss with any person the fact that a person intentionally or accidentally left a sweater at the site of the tree spiking incident in the Clearwater National Forest in Idaho at any time before, during, or after the spiking of trees occurred in the spring of 1989?
- q. Do you have personal knowledge of any person intentionally or accidentally leaving a handwritten note at the site of the tree spiking incident in the Clearwater National Forest in Idaho at any time before, during, or after the spiking of trees occurred in the spring of 1989?
- r. Did you ever discuss with any person the fact that a person intentionally or accidentally left a handwritten note at the site of the tree spiking incident in the Clearwater National Forest in Idaho at any time before, during, or after the spiking of trees occurred in the Spring of 1989?
- s. According to the *E&E News* article, the retired federal law enforcement agent stated that Guenevere Lilburn, the common law wife of one of the tree spikers, John Blount, first identified Mr. Blount and Jeffrey Fairchild as the tree spikers to federal law enforcement authorities. Is this your understanding?

- t. According to the *E&E News* article, the retired federal law enforcement agent stated that Ms. Lilburn first identified you as the person who mailed the letter to the U.S. Forest Service. Is this your understanding?
- g. Please describe the details and circumstances of your relationship with Guenevere Lilburn, including, but not limited to:
- Did you ever live at Sherwood House at the same time as Ms. Lilburn? If so, during what period(s) of time?
 - Did you have personal knowledge of Ms. Lilburn's activities associated with the spiking of trees?
 - Did you ever discuss the spiking of trees with Ms. Lilburn?
 - Did you ever participate in any activities with the environmental activist group, Earth First!, at the same time and in the presence of Ms. Lilburn?
 - Did you ever discuss with Ms. Lilburn her meeting and any other communications with the Federal Bureau of Investigation in Boston, Massachusetts in 1992 or at any other time?
 - Did you ever discuss with Ms. Lilburn her communications with any other federal law enforcement authority conducting an investigation into the tree spiking incident in 1992 or at any other time?

Question 3: You testified before the U.S. District Court for the Eastern District of Washington in June 1993 that at approximately the end of April 1989 John Blount handed you a letter informing the U.S. Forest Service that trees had been spiked in the Clearwater National Forest and asked you to mail it. You testified that you waited a "couple of days," rented a typewriter from the university, retyped the letter, and mailed the letter on behalf of Mr. Blount. On May 21, 1993 *The Missoulian* published an article entitled "Woman trades her testimony for immunity in spiking case" based on an interview with you. That article stated: "Stone-Manning said she immediately contacted a lawyer and offered her testimony when, in February [1993], she read a newspaper account of Blount's arrest."

Please respond fully and completely to the following questions:

- a. Did you first come forward to law enforcement authorities in early 1993, or did law enforcement authorities first contact you?
- b. Did you voluntarily come forward to law enforcement authorities, or were you compelled to come forward because of information they had about your role in preparing and mailing the letter?
- c. Why did you contact a lawyer in order to come forward?
- d. Did you retain a lawyer in order to come forward?

- e. Were you represented by a lawyer when you came forward?
- f. Why did you not come forward to law enforcement authorities in the spring of 1989 when Mr. Blount approached you about mailing the letter?
- g. Why did you not come forward to law enforcement authorities in the spring of 1989 during the “couple of days” you waited before mailing the letter?
- h. Why did you not come forward to law enforcement authorities in the spring of 1989 after you mailed the letter?
- i. Why did you not come forward to law enforcement authorities in 1989 after Sherwood House in Missoula, Montana was “raided” and “possessions were confiscated” after the U.S. Forest Service received your letter informing it of the tree spiking incident and “found several spiked trees in the timber sale,” as reported by an October 5, 1989 article in the *Montana Kaimin*?
- j. Why did you not come forward to law enforcement authorities when you were subpoenaed to provide physical evidence to the federal grand jury in October 1989?
- k. Why did you not come forward to law enforcement for approximately four years from the spring of 1989 when you prepared and mailed the letter to early 1993 when Mr. Blount was arrested to provide law enforcement authorities with information and testimony regarding the tree spiking incident and the identities of the tree spikers?

Question 4: On May 21, 1993 *The Missoulian* published an article entitled “Woman trades her testimony for immunity in spiking case” based on an interview with you. The article stated: “Stone-Manning said she could have been charged with conspiracy because she mailed the letter for Blount, were it not for her agreement with the U.S. attorney.”

Please respond fully and completely to the following questions:

- a. Please provide any and all documents associated with your agreement with the U.S. Attorney that limited or eliminated your exposure to facing charges for a violation of law.
- b. Please fully and completely describe the details and circumstances of your agreement with the U.S. Attorney that limited or eliminated your exposure to facing charges for a violation of law, including, but not limited to, a full, complete, and detailed explanation of what charges of violations of law you potentially faced, and what specific activities you had participated in that would have exposed you to potential charges of violations of law.
- c. Were you advised by an attorney that you could have faced charges for a violation of law in connection with the tree spiking incident and the subsequent investigation if you had not entered into the agreement with the U.S. Attorney?
- d. Were you advised by the U.S. Attorney or a representative of the U.S. Attorney that you could have faced charges for a violation of law in connection with the tree spiking

incident and the subsequent investigation if you had not entered into the agreement with the U.S. Attorney?

- e. Were you advised by any other law enforcement authority that you could have faced charges for a violation of law in connection with the tree spiking incident and the subsequent investigation if you had not entered into the agreement with the U.S. Attorney?
- f. Were you advised by any court that you could have faced charges for a violation of law in connection with the tree spiking incident and the subsequent investigation if you had not entered into the agreement with the U.S. Attorney?
- g. Do you believe that you could have faced charges for a violation of law in connection with the tree spiking incident and the subsequent investigation if you had not entered into the agreement with the U.S. Attorney?
- h. Do you believe that you could have faced charges for a violation of law in connection with the tree spiking incident and the subsequent investigation if you had not testified before the federal grand jury in Boise, Idaho in March 1993?
- i. Do you believe that you could have faced charges for a violation of law in connection with the tree spiking incident and the subsequent investigation if you had not testified before the U.S. District Court for the Eastern District of Washington in June 1993?

Question 5: On May 21, 1993 *The Missoulian* published an article entitled “Woman trades her testimony for immunity in spiking case” based on an interview with you. That article stated: “U.S. Attorney Maurice Ellsworth granted Stone-Manning limited immunity in exchange for her testimony, in March before a grand jury in Boise, Idaho, and at a trial now set for June 7 in either Spokane or Moscow, Idaho.”

Please respond fully and completely to the following questions:

- a. Please fully and completely describe the details and circumstances of your testimony before the federal grand jury in Boise, Idaho in March 1993, and include the case number or other information to identify the public record of the proceeding.
- b. Please fully and completely describe the details and circumstances of your immunity agreement with the U.S. Attorney associated with your testimony before the federal grand jury in Boise, Idaho in March 1993, including, but not limited to, a full, complete, and detailed explanation of what charges of violations of law you potentially faced, and what specific activities you had participated in that would have exposed you to potential charges of violations of law.
- c. Please provide any and all documents associated with your testimony before the federal grand jury in Boise, Idaho in March 1993, including, but not limited to:
 - Your testimony before the court;

- Your agreement with the U.S. Attorney for immunity.

Question 6: The U.S. Forest Service learned of the tree spiking in the Clearwater National Forest in April 1989 when it received a threatening letter. The letter stated:

“The project required that eleven of us spend nine days in God awful weather conditions spiking trees. We unloaded a total of five hundred pounds of spikes measuring 8 to 10 inches in length. The sales were marked so that no workers would be injured and so that you assholes know that they are spiked. The majority of trees were spiked within the first ten feet, but many, many others were spiked as high as a hundred and fifty feet.

“I would be more than willing to pay you a dollar for the sale, but you would have to find me first and that could be your WORST nightmare.”

The letter included a postscript: “You bastards go in there anyway and a lot of people could get hurt.”

The letter was signed with a pseudonym: “George Hayduke.”

George Hayduke is a character in the *Monkey Wrench Gang*, a fictional novel written by Edward Abbey and published in 1975. In the novel, George Hayduke collaborates with fictional eco-terrorists in attacking developers in the American Southwest. The group sabotages bulldozers and trains, drives quarry trucks over canyon dams, blasts power lines, and blows up the Glen Canyon Dam, all while escaping law enforcement. An article published in *The Guardian* on September 25, 2009, entitled “Rereading: Robert Mcfarlane on The Monkey Wrench Gang” reported: “Earth First! was openly inspired by Abbey’s novel...In March 1981, the Earth Firsters unrolled a 300ft-long black plastic ‘crack’ down the side of the Glen Canyon Dam, thereby accomplishing – at least metaphorically – Hayduke’s dream of its demolition. Abbey had been tipped off about the event, and was there to see it happen.”

In 1980, an anonymous author began writing and publishing a series of books under the pseudonym “George Hayduke.” The anonymous author wrote twenty-three books from 1980 to 2006 detailing pranks and practical jokes focused on vengeance, including promoting activities that were illegal and dangerous. Early titles included – *Get Even: The Complete Book of Dirty Tricks* (1980); *Get Even 2: More Dirty Tricks from the Master of Revenge* (1981); *Up Yours!: Guide to Advanced Revenge Techniques* (1982); *Getting Even 2* (1983); *Revenge: Don’t Get Mad, Get Even* (1984); *Make ‘em Pay!: Ultimate Revenge Techniques from the Master Trickster* (1986); *Screw Unto Others: Revenge Tactics for All Occasions* (1986); *Make My Day!: Hayduke’s Best Revenge Techniques for the Punks in Your Life* (1987); *George Hayduke’s Kickass!: More Mayhem from the Master of Malice* (1988); *The Hayduke Silencer Book: Quick and Dirty Homemade Silencers* (1989); *Payback! Advanced Backstabbing and Mudslinging Techniques* (1989); *Sweet Revenge: A Serious Guide to Retribution* (1989). The anonymous author’s book, *Get Even: The Complete Book of Dirty Tricks*, published under the pseudonym of “George Hayduke,” was found in the locker of a man accused of the USS Iowa turret explosion, which killed 47 people. Navy investigators reported that the book contained instructions on how to construct a bomb.

When presented with the letter during the 1993 trial, you confirmed that you recognized the letter as “a letter that I typed and mailed to the Forest Service.” You also confirmed that you recognized “the envelope that I mailed the letter in.” You testified: “Mr. Blount asked me – handed me a letter and asked me to read it, which I did; and then he asked me if I would mail it to the Forest Service.” According to your testimony, instead of mailing the letter that Mr. Blount handed you: “I took the letter and I thought about it overnight, and then I decided to mail it, but I decided to retype it first.” You continued: “Within the next couple of days after I received the letter, I went to the university library, rented a typewriter, and I typed the letter and then I mailed it.” You testified that you “changed some spelling errors,” took out “some of the profanity,” and “typed it pretty much word-for-word.” Your characterization that you lightly edited the letter was at odds with John Blount’s testimony that the letter you mailed (and that you and Mr. Blount were both presented with during the 1993 trial) was “a couple paragraphs shorter than I remembered it being originally.” You testified that you mailed the letter: “Because I wanted people to know those trees were spiked. I didn’t want anybody getting hurt as a result of trees being spiked.”

When asked why you retyped the letter, you responded, “Because my fingerprints --,” before an objection to you answering was sustained. Separately, Mr. Blount testified that you had agreed with him that “she’d mail [the letter] without any fingerprints.” Mr. Blount testified that he did not want the letter to be traced because “it would give [the U.S. Forest Service] more to think about if they had to look around for whoever done it” and “they spend a lot of money messing stuff up and I was going to make them spend a little bit of money looking around for whoever did this.” You were later quoted in a May 21, 1993 article in *The Missoulian* as stating: “I retyped [the letter] because my fingerprints were all over the original and I was scared.” You testified that you rented a typewriter because “I only had a computer at my disposal and I didn’t want it on my personal computer.”

Please respond fully and completely to the following questions:

- a. Do you believe it was reasonable for the U.S. Forest Service to consider the letter’s reference to its agents as “you assholes” to be threatening? If so, why did you not strike this language when you edited the letter? If not, why not?
- b. Do you believe it was reasonable for the U.S. Forest Service to consider the letter’s reference to its agents as “you bastards” to be threatening? If so, why did you not strike this language when you edited the letter? If not, why not?
- c. Do you believe it was reasonable for the U.S. Forest Service to consider the following phrase in the letter to be threatening: “I would be more than willing to pay you a dollar for the sale, but you would have to find me first and that could be your WORST nightmare”? If so, why did you not strike this language when you edited the letter? If not, why not?
- d. Do you believe it was reasonable for the U.S. Forest Service to consider the following phrase in the letter to be threatening: “You bastards go in there anyway and a lot of people could get hurt”? If so, why did you not strike this language when you edited the letter? If not, why not?

- e. Do you believe it was reasonable for the U.S. Forest Service to consider the letter being signed with the pseudonym “George Hayduke” to be threatening? If so, why did you not strike or change the pseudonym when you edited the letter? If not, why not?
- f. You testified that you “changed some spelling errors,” took out “some of the profanity,” and “typed [the letter] pretty much word-for-word.” Your characterization that you lightly edited the letter was at odds with Mr. Blount’s testimony that the letter you mailed (and that you and Mr. Blount were both presented with during the 1993 trial) was “a couple paragraphs shorter than I remembered it being originally.”
- Did you strike a couple of paragraphs when you edited the letter? If so, what was the nature of the content you struck?
 - Did you strike a single paragraph when you edited the letter? If so, what was the nature of the content you struck?
 - Did you strike a full sentence when you edited the letter? If so, what was the nature of the content you struck?
 - Did you add any language to the letter? If so, what language did you add to the letter?
- g. Why did you rent a typewriter to retype the letter?
- h. Why did you agree with Mr. Blount to mail the letter “without any fingerprints”?
- i. Why did you mail the letter without any fingerprints?
- j. Why were you “scared” that your “fingerprints were all over the original” letter?
- k. Did you discuss with Mr. Blount making the letter untraceable in order to force the U.S. Forest Service to spend money and other resources to identify spiked trees?
- l. Did you discuss with Mr. Blount making the letter untraceable in order to force the U.S. Forest Service to spend money and other resources to identify the persons involved in spiking the trees?
- m. Did you agree with Mr. Blount to make the letter untraceable in order to force the U.S. Forest Service to spend money and other resources to identify spiked trees?
- n. Did you agree with Mr. Blount to make the letter untraceable in order to force the U.S. Forest Service to spend money and other resources to identify the persons involved in spiking the trees?
- o. Do you believe it was a good use of federal taxpayer dollars for the U.S. Forest Service to identify the spiked trees?
- p. Do you believe it was a good use of federal taxpayer dollars for the U.S. Forest Service to identify the persons involved in spiking the trees?

- q. Do you believe it was a good use of taxpayer dollars for other federal, state, and local law enforcement agencies to identify, investigate, and prosecute the persons involved in spiking the trees?
- r. Do you believe it was a good use of taxpayer dollars for the federal courts to consider the legal cases regarding the persons involved in spiking the trees?
- s. If you were concerned about informing the U.S. Forest Service that trees were spiked so no one would get hurt, why did you not report the tree spiking incident and the persons involved in the tree spiking incident to law enforcement authorities immediately?
- t. If you were concerned about informing the U.S. Forest Service that trees were spiked so no one would get hurt, why did you agree with Mr. Blount to mail a letter to the U.S. Forest Service that might have taken several days to arrive and be opened?
- u. If you were concerned about informing the U.S. Forest Service that trees were spiked so no one would get hurt, why did you wait “a couple of days” after receiving the letter to prepare and mail the letter to the U.S. Forest Service?
- v. Do you believe you acted responsibly by not reporting the tree spiking incident and the persons involved in the tree spiking incident to law enforcement authorities immediately instead of preparing and mailing an untraceable letter to the U.S. Forest Service that would only be received after a delay of several days?

Question 7: Were you aware of any attempts by John Blount, Jeffrey Fairchild, Daniel LaCrosse, or any other person associated with the tree spiking incident to deliberately hide and otherwise conceal any of the spikes that were inserted into trees with tree pitch and bark?

Please respond fully and completely to the following questions:

- a. If so, did you disclose this information to law enforcement authorities, and when?
- b. Were you aware of any other concealment techniques that were used by any persons associated with the tree spiking incident?
- c. Once you were aware of the existence of the tree spikes, did you ever attempt to persuade any persons associated with the tree spiking incident to remove the tree spikes and any material used to deliberately hide and otherwise conceal them?
- d. Did you ever author, contribute to, edit, or otherwise participate in publishing any articles about efforts and techniques to deliberately hide and otherwise conceal tree spikes when you were involved with Earth First!’s publications?
- e. Did you ever author, contribute to, edit, or otherwise participate in publishing any articles about efforts and techniques to deliberately hide and otherwise conceal tree spikes with regard to any other publications?

- f. Did you ever discuss efforts and techniques to deliberately hide and otherwise conceal tree spikes at any time with any members of Earth First!?
- g. Did you ever discuss efforts and techniques to deliberately hide and otherwise conceal tree spikes at any time with any other persons or groups?

Question 8: A reward was put forth by several organizations including Idaho’s timber industry and the National Wildlife Federation for anyone who could produce information on those persons involved in the tree-spiking incident.

Please respond fully and completely to the following questions:

- a. Did you claim or attempt to claim this reward?
 - If so, on what date did you receive this reward?
 - If so, what was the total amount you received?
- b. Did you encourage any other person to come forward to claim the reward?
 - If so, who?
- c. If any other person(s) claimed the reward, did you share the monies with that person or those persons?

Question 9: On July 2, 2021, *The Federalist* published an article titled “How Tracy Stone-Manning, Biden’s Ecoterrorist Nominee to Oversee the Nation’s Land, Put Firefighters In Danger.” The article highlighted the ongoing threat that spiked trees pose to firefighters battling wildfires across the west.

Please respond fully and completely to the following questions:

- a. Are you aware that tree spiking inhibits firefighters from being able to fight and manage wild fires?
- b. Why did you choose to participate in an activity where firefighting personnel may be injured as a result?
- c. Are you aware that fire danger in the State of Idaho this summer is “above average?”
- d. Do you agree that proper forest management, including timber harvesting, is essential for maintaining healthy forests and preventing wildfires?

Question 10: Testimony before the U.S. District Court for the Eastern District of Washington in the June 1993 trial established that at least one sawmill suffered damages when it processed a tree spiked in the Clearwater National Forest in Idaho in 1989.

Robert Wayne Moderie, the head sawyer at Plum Creek Manufacturing in Pablo, Montana, identified for the court “some of the teeth off one of the band saws that was run through the mill that had hit some spikes, and the saw blew up and pieces flew around.” Mr. Moderie testified: “I put the log on the carriage, and I was going through the log when the saw hit the spike; and in the process the saw come out through the side of the log, and it stretched the saw and broke the saw, and the pieces flew all over...I was sitting up above the log...looking down on it. The band saw was running right here alongside of me. It was – probably the saw is about four or five feet from me...[T]he saw blade stayed on the wheel, but there was about two-thirds of it that just a big ribbon come out the outside of it and it all busted and flew all over inside the saw box...[P]ieces of it hit – I got plexiglass, oh, it must be quarter inch – it’s that high-temp plexiglass – on the side of the saw box – well, three sides of me; and there were teeth marks in that plexiglass where that saw hit.” Mr. Moderie explained that the plexiglass was “probably two feet” away from him.

Trees that were spiked in the Clearwater National Forest in Idaho in 1989 are likely still standing and continue to pose a lethal threat to loggers, sawmill workers, and firefighters. At a June 17, 2021 hearing of the U.S. Senate Committee on Energy and Natural Resources to examine President Biden’s fiscal year 2022 budget request for the U.S. Forest Service, the Chief of the U.S. Forest Service testified that she was not “specifically, personally aware of” any program the Forest Service has to address spiked trees that still stand in the forest.

Please respond fully and completely to the following questions:

- a. Were you aware that a tree spiked by the persons involved in the 1989 tree spiking incident destroyed a saw at Plum Creek Manufacturing in Pablo, Montana?
- b. Were you aware that a tree spiked by the persons involved in the 1989 tree spiking incident nearly maimed or even killed Mr. Moderie, or another sawmill worker, or the logger who cut down the tree?
- c. Are you aware that trees spiked by the persons involved in the 1989 tree spiking incident are potentially still standing in the Clearwater National Forest?
- d. Are you aware that trees spiked by the persons involved in the 1989 tree spiking incident potentially still pose a lethal threat to loggers?
- e. Are you aware that trees spiked by the persons involved in the 1989 tree spiking incident potentially still pose a lethal threat to sawmill workers?
- f. Are you aware that trees spiked by the persons involved in the 1989 tree spiking incident potentially still pose a lethal threat to firefighters?

Question 11: President Obama’s first Director of the Bureau of Land Management, Bob Abbey, initially endorsed your nomination, but has now retracted his support in light of recent reports about your activities associated with the tree spiking event. In an article published in the *Daily Montanan* on June 18, 2021 entitled “Stone-Manning’s nomination doomed after tree-spiking incident?,” Mr. Abbey was quoted as stating that your involvement with the tree spiking event “should disqualify her” from serving as Director of the Bureau of Land Management. “BLM

needs a really strong leader,” he said. “To put someone in that position that has this type of resume will just bring needless controversy that is not good for the agency or for the public lands.”

- a. Do you believe it is reasonable that Mr. Abbey has concluded that your involvement with the tree spiking incident should disqualify you from serving as Director of the Bureau of Land Management?
- b. Do you believe it is reasonable that Mr. Abbey has concluded that your involvement with the tree spiking incident will only bring needless controversy to the Bureau of Land Management that is not good for the agency or for the public lands?

Personal Loan

Question 12: On your Public Financial Disclosure Form (OGE Form 278e), you represented that you incurred a personal loan in 2008 from a creditor named Stuart Goldberg. You represented the loan amount as \$50,001 - \$100,000, and noted that the loan was made at a rate of 6 percent and a term of 12 years. You represented that you paid the loan in full in 2020.

- a. Was the initial loan made by Mr. Goldberg in 2008 made at a rate of 6 percent? If not, what was the initial rate?
- b. Was the initial loan made by Mr. Goldberg in 2008 made for a fixed term of 12 years? If not, what was the initial term, and was it fixed?
- c. Was the initial loan made by Mr. Goldberg in 2008 for \$100,000? If not, what was the initial loan amount?
- d. Was the initial loan made by Mr. Goldberg in 2008 to a business owned by you and your husband? If so:
 - What was the name of the business?
 - What was the primary address of the business?
 - In what state was the business incorporated, formed, or otherwise organized?
 - What was the purpose of the business and the nature of the business activities?
 - Were you and your husband the only owners of the business?
 - Were you an employee of the business?
 - What activities did you perform on behalf of the business?
 - Did Mr. Goldberg or any of his associates have any interests in the business?

- Did anyone else have any interests in the business?
 - Did the business have any interests before any federal, state, or local government?
 - Did the business have any interests associated with Mr. Goldberg, any of his associates, or any of his businesses?
 - Why did the business take a loan from Mr. Goldberg in 2008?
 - For what purpose did the business take a loan from Mr. Goldberg?
 - For what purpose did the business use the loan from Mr. Goldberg?
 - Has the business been liquidated?
 - If the business has been liquidated, please fully and completely describe the details and circumstances of the liquidation, including on what date it was liquidated.
 - Has the business been dissolved?
 - If the business has been dissolved, please fully and completely describe the details and circumstances of the dissolution, including on what date it was dissolved.
- e. Was \$40,000 of the initial loan made by Mr. Goldberg in 2008 repaid upon the sale of your house? If not, what amount of the initial loan was repaid upon the sale of your house, if any?
- Did you own your house, did your husband own your house, or were you co-owners of your house?
 - Did the business co-owned by you and your husband own the house?
 - What was the address of the house?
 - How much did you sell the house for?
 - On what date did you sell the house?
 - To whom did you sell the house?
 - On what date did you repay \$40,000 (or another amount) of the initial loan to Mr. Goldberg?
 - Did you repay \$40,000 (or another amount) of the initial loan to Mr. Goldberg in one payment, or did you spread out the total amount of repayment across multiple payments?

- Did you and/or your husband personally repay \$40,000 (or another amount) of the initial loan to Mr. Goldberg out of a personal and/or joint marital checking account? Or did the business repay \$40,000 (or another amount) out of a business checking account? If the former, did the business reimburse you and/or your husband? If the latter, did you and/or your husband reimburse the business?
- f. Did you assume personal liability in March 2009 for the remaining \$60,000 of the initial loan made by Mr. Goldberg in 2008? If not, for what remaining amount of the initial loan did you assume personal liability in March 2009, if any?
- Were the terms of the loan modified, or did the terms of the loan continue to require a rate of 6 percent (or another initial rate)?
 - Were the terms of the loan modified, or did the terms of the loan continue to require a fixed term of 12 years (or another initial term, and if fixed)?
- g. You represented on your Public Financial Disclosure Form (OGE Form 278e) that you paid in full the personal loan in 2020.
- What balance remained for you to repay Mr. Goldberg in 2020?
 - What amount did you repay Mr. Goldberg in 2020?
 - Did you receive an inheritance in 2020? If so, what was the amount?
 - Did you use the inheritance to pay off the remainder of the balance of the loan from Mr. Goldberg in 2020?
 - Did you pay in full the loan in 2020 because you received an inheritance?
 - Did you pay in full the loan in 2020 because the terms of the loan required a fixed term of 12 years?
 - Did you pay in full the loan in 2020 because you hoped to be – or were aware that you may be – nominated for a senior position in the federal government by then-incoming President Biden?
- h. Please provide the Committee with the schedule of payments that your business made to Mr. Goldberg from inception of the loan in 2008 through your assumption of personal liability for the loan in March 2009.
- i. Please provide the Committee with the schedule of payments that you made to Mr. Goldberg from your assumption of personal liability for the loan in March 2009 through your payment in full of the loan in 2020.
- j. Why did you not disclose to the Office of Government Ethics and the Committee on your OGE Form 278e that your “Personal Loan” from Mr. Goldberg that was incurred in 2008 at a 6 percent rate for a 12 year term was, in fact, initially made to a business co-owned

by you and your husband from inception of the loan in 2008 through your assumption of personal liability for the loan in March 2009?

k. You represented on your Committee Questionnaire that you worked as Regional Director for U.S. Senator Jon Tester in Missoula, Montana from 2007 to 2012.

- If you co-owned a business with your husband during this time period, did you comply with all federal laws, rules, and regulations governing your simultaneous service on the staff of a U.S. Senator and your ownership of a business, including, but not limited to, Senate Ethics Rules governing matters such as outside earned income and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.
- If you co-owned a business with your husband during this time period that received and benefited from a loan made by a private person during this time period, did you comply with all federal laws, rules, and regulations governing your simultaneous service on the staff of a U.S. Senator and your ownership of a business that received such a loan, including, but not limited to, Senate Ethics Rules governing matters such as reporting the loan, outside earned income, and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.
- If you were employed by a business owned by you and your husband during this time period, did you comply with all federal laws, rules, and regulations governing your simultaneous service on the staff of a U.S. Senator and your employment by a business, including, but not limited to, Senate Ethics Rules governing matters such as outside earned income and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.

l. At the Committee's June 8, 2021 hearing on your nomination, you responded to questions from Senator Marshall regarding the loan you received from Mr. Goldberg: "Ethics are deeply important to me. Like many families in 2008 we got smacked by the recession and a friend loaned us some money to make sure that we could get through it. And we came to terms, and we honored the loan...I was grateful for the help from a friend."

- If the loan was initially made to a business co-owned by you and your husband in 2008 (and not to you and/or your husband in your individual, personal capacity), why did you provide sworn testimony to the Committee that you received the loan to ensure your family could survive the recession instead of for a legitimate business purpose?
- When Mr. Goldberg provided the loan in 2008, and during the period through which the loan was held by the business until March 2009 when you assumed personal liability for the loan, was Mr. Goldberg aware that loan was being used by you and/or your husband in your individual, personal capacity to fund your individual, personal lives during the recession instead of being used by you and

your husband in your capacity as co-owners of the business to fund a legitimate business purpose on behalf of and for the benefit of the business?

- Was the use of the business' loan by you and/or your husband in your individual, personal capacity to fund your individual, personal lives during the recession in compliance with all applicable federal, state, and local laws, rules, and regulations governing businesses?
- You testified that you took out the loan from Mr. Goldberg in 2008 because you needed "help from a friend" to finance your family's survival during the recession. If this was the case, why did you and your husband, in your capacity as co-owners of the business, take a loan out on behalf of the business, making the business the responsible party, for no legitimate business purpose, and for no benefit to the business? Why did you and/or your husband not initially take out the loan in your individual, personal capacity for the purpose of funding your individual, personal lives?

Question 13: On April 9, 2006, *The Missoulian* published an article entitled, "Hearing Wednesday for McCauley Butte Project." The article reported on a proposal by Northern Lights Development to protect McCauley Butte in Missoula, Montana while also clustering a dense, 6 ½-units-per-acre development at the foot of the butte. At the time of the article, Northern Lights Development had already received approval from the Missoula Consolidated Planning Board. It was seeking approval from the Missoula County Commissioners. The article cited and quoted Stuart Goldberg, one of the owner-developers of Northern Lights Development and its proposed subdivision called Miner's Addition.

The article reported that Miner's Addition would sit on the east side of McCauley Butte, off 40th Avenue south of Target Range School. The article explained:

"The JTL gravel pit operation abuts the property, but in 2012, JTL has promised to turn over the pit to the city and the property will become a large public park.

"Northern Lights owns five tracts of land that total 286 acres. Developers propose 128 units – 43 homes and 85 townhomes – over 13 years, in six phases on about 20 acres of the land.

"By clustering the homes together and making a denser development, much of the land can be protected as open space, the developers said. They're already negotiating a conservation easement for undeveloped land.

"Because the development is clustered together, developers want a 'density transfer' – that is, the ability to transfer some of their allowed density from part of the property to another, to protect the open space while allowing more homes and townhomes on a smaller, 19 ½-acre parcel of land.

"Northern Lights envisions a network of public walking trails and a backcountry-style pedestrian bridge over the Bitterroot River.

“Both developers plan to build their own homes on the property.”

The article noted that Five Valleys Land Trust had watched the land closely for years. It attempted to buy it when it came up for sale but was unsuccessful.

The article reported that you were Executive Director of Clark Fork Coalition at the time. It quoted you complimenting Mr. Goldberg and the other developer to the Planning Board in March 2006: “It’s pretty darn rare that we’ve been before you to endorse a (development) proposal, perhaps unprecedented...But also, nobody’s ever picked up the phone and said to us, ‘Hey we’ve got this idea for a development. Would you come walk the property with us and help us figure out how to make it conservation-oriented?...We took that phone call, and we took that walk...Stuart [Goldberg] and Brett [Kulina] have gone way beyond what state law asks them to do to take into account conservation measures. I think it is unprecedented, and certainly something that should be applauded.”

The article cited one opponent of the development as noting: “Also, the conservation easement needs to be in place, secured, before trades and agreements are made, he said. The developers could get hit by a truck after the subdivision is approved, before anything is signed, he warned... ‘It’s not that I don’t have trust in what they’re saying, he said, but ‘things happen.’”

The article cited another opponent of the development objecting to the subdivision being annexed to the city, as was planned. This would eventually allow the city to force other homes in Target Range to be annexed. “Target Range residents don’t want to be annexed: Part of the neighborhood is already trying to create its own separate town to avoid just such a step.”

The article continued:

“The planning board spent hours reviewing the subdivision, detailing conditions of approval, including improving South Avenue for extra traffic and tweaking setbacks of garages and designs of homes.

“Construction would not start for years, said Goldberg, one of the two owners. What residents will see first is the construction of his and his partner’s own homes, and the arrival of 300 sheep that will begin to naturally control weeds in the area.”

On April 13, 2006, *The Missoulian* published an article entitled, “County Oks McCauley Butte subdivision.” The article reported that the Missoula County Commissioners approved the development. It noted that the developers had promised to protect the butte itself for future generations by negotiating conservation easements on about 93 percent of the land they owned in the area. It reported that one of the Commissioners commended Northern Lights Development for working with numerous groups, including Five Valleys Land Trust, Clark Fork Coalition, the city Parks and Recreation Department, and the U.S. Forest Service, “to forge agreements that should play out over the next decade.” The county approved the developers’ requested density-transfer rights. The article quoted a realtor as stating: “As a Realtor, I can tell you (people) will be lining up to have those properties” when they’re finished. The article quoted you in your capacity as Executive Director of the Clark Fork Coalition: “We believe the development has

astounding merit...For no expenditure of public money, we got something Missoula wants.” The article concluded: “Both developers plan to build their homes in the area, the first construction to be done. The first phase of the subdivision will begin within six years, and the final is about a decade away.”

On January 11, 2007, *The Missoulian* published an article entitled, “Landscape preserved.” The article reported that at that time 90 percent of the McCauley Butte landscape was now protected from any future development. Northern Lights Development had signed conservation easements on 257 acres of the land. It remained in private hands and is private property, but public access may be negotiated later. The article continued:

“Negotiating the easements was not easy or smooth, and took more than a year...Goldberg and Kulina signed over three easements, on three parcels, to Five Valleys Land Trust.

“The next phases of the project include starting construction in the next few years, and trying to work out potential public access...

“JTL Group has a gravel pit to the east of the property that is to be donated to the city of Missoula by Dec. 31, 2012. It is to be reclaimed and converted into a public park. When that happens, Northern Lights plans to transfer to the city a 3-acre strip of land along the Bitterroot River, giving the city river frontage, Goldberg said.

“Then, contingent on the 90-acre JTL land become a developed park, Northern Lights plans to allow a public trail to the top of McCauley Butte, Kulina and Goldberg said...

“Someday, they said, they hope a pedestrian bridge across the Bitterroot River is designed, approved, and funded to connect the area to Maclay Flats, on the south side of the Bitterroot River. If that project catches favor, various government agencies and the public will need to be involved.”

Please respond fully and completely to the following questions:

- a. On your Public Financial Disclosure Form (OGE Form 278e), you represented that you incurred a personal loan in 2008 from a creditor named Stuart Goldberg. Is Stuart Goldberg, the co-owner of Northern Lights Development and the co-developer of the Miner’s Addition subdivision described in the above articles published in *The Missoulian*, the same Stuart Goldberg that provided you with a personal loan in 2008?
- b. Please describe the details and circumstances of your relationship with Mr. Goldberg, including, but not limited to:
 - Did you first meet Mr. Goldberg in your capacity as Executive Director of the Clark Fork Coalition?

- Did you first meet Mr. Goldberg through your involvement in supporting Northern Lights Development’s proposal to develop the Miner’s Addition subdivision?
 - The April 9, 2006 article in *The Missoulian* quoted you as saying in March 2006: “It’s pretty darn rare that we’ve been before you to endorse a (development) proposal, perhaps unprecedented...But also, nobody’s ever picked up the phone and said to us, ‘Hey we’ve got this idea for a development. Would you come walk the property with us and help us figure out how to make it conservation-oriented?...We took that phone call, and we took that walk...Stuart [Goldberg] and Brett [Kulina] have gone way beyond what state law asks them to do to take into account conservation measures. I think it is unprecedented, and certainly something that should be applauded.” Did you first meet Mr. Goldberg during “that phone call,” or during “that walk?”
- c. You represented on your Committee Questionnaire that you led an environmental organization focused on protecting and restoring the Clark River Basin in western Montana and northern Idaho (Executive Director of the Clark Fork Coalition in Missoula, Montana from 1999 to 2007) during the preliminary development of the proposed Miner’s Addition by Mr. Goldberg and Northern Lights Development. You also represented on your Committee Questionnaire that you worked as a senior federal government official when you incurred the loan from Mr. Goldberg in 2008, and as a senior federal and state government official for approximately seven years of the twelve year term of the loan (Regional Director for U.S. Senator Jon Tester in Missoula, Montana from 2007 to 2012; Acting State Staff Director and Senior Adviser for U.S. Senator Jon Tester in Missoula, Montana in 2012; Director of the Montana Department of Environmental Quality in Helena, Montana from 2013 to 2014; and Chief of Staff to Montana Governor Steve Bullock in Helena, Montana from 2014 to 2017). In these senior federal and state government positions, you were uniquely situated to influence policies impacting constituents in Montana, including with regard to the ongoing development of the Miner’s Addition by Mr. Goldberg and Northern Lights Development. For each of these five environmental, federal, and state positions, did you or anyone under your supervision ever discuss, support, promote, defend, or otherwise advocate for any interests that Mr. Goldberg or any of his associates or businesses had in connection with Northern Lights Development and its proposed Miner’s Addition subdivision, including, but not limited to:
- Any approval by the Missoula Consolidated Planning Board;
 - Any conditions for approval by the Missoula Consolidated Planning Board, including improving South Avenue for extra traffic and tweaking setbacks of garages and designs of homes;
 - Any approval by the Missoula County Commissioners;
 - Any conditions for approval by the Missoula County Commissioners;

- Northern Lights Development’s acquisition of “density-transfer” rights from the Missoula County Commissioners;
- Northern Lights Development’s ownership, use, and enjoyment of five tracts of development land totaling 286 acres;
- Northern Lights Development’s development of 128 housing units over thirteen years in six phases on about 20 acres of land;
- Northern Lights Development’s negotiation and execution of conservation easements on development land;
- Northern Light Development’s negotiation and execution of agreements regarding public access to development land;
- Northern Lights Development’s development of a network of public walking trails associated with the development;
- Northern Lights Development’s development of a pedestrian bridge over the Bitterroot River to connect the area to Maclay Flats on the south side of the Bitterroot River, which was expected to require support from various government agencies;
- JTL Group’s donation to the city of Missoula of its ninety acre gravel pit property to the east of the development property by December 31, 2012;
- The city of Missoula’s reclamation and conversion of JTL Group’s ninety acre gravel pit property into a public park;
- Northern Lights Development’s transfer of a three acre strip of land along the Bitterroot River to the city of Missoula;
- Northern Lights Development’s allowance for a public trail to the top of McCauley Butte, contingent on the conversion of JTL Group’s ninety acre gravel pit property into a public park;
- Mr. Goldberg’s construction of his personal home as part of the development;
- Mr. Kulina’s construction of his personal home as part of the development;
- Five Valleys Land Trust’s unsuccessful attempt to purchase development land;
- The city of Missoula’s annexation of the subdivision;
- The city of Missoula’s annexation of other homes in the Target Range;

- Attempts by some Target Range residents to create their own, separate town to avoid annexation by the city of the Missoula.

Other Matters

Question 14: You represented on your Personal Financial Disclosure Form (OGE Form 278e) that you served as Managing Member of Manning Stone-Manning LLC, a “Corporation” in Missoula, Montana, from January 1992 to October 2020. You noted that this “LLC” was dissolved in 2020.

Please respond fully and completely to the following questions:

- a. Was Manning Stone-Manning LLC a “Corporation” or an “LLC”?
- b. Under what name did Manning Stone-Manning LLC publicly do business?
- c. What was the primary address of the business?
- d. In what state was the business incorporated, formed, or otherwise organized?
- e. What was the purpose of the business and the nature of the business activities?
- f. Were you the only owner of the business, or were you and your husband co-owners of the business? Did you co-own the business with anyone else?
- g. Were you an employee of the business?
- h. What activities did you perform on behalf of the business?
- i. Did Stuart Goldberg or any of his associates have any interests in the business?
- j. Did anyone else have any interests in the business?
- k. Did the business have any interests before any federal, state, or local government?
- l. Did the business have any interests associated with Mr. Goldberg, any of his associates, or any of his businesses?
- m. Has the business been liquidated?
- n. If the business has been liquidated, please fully and completely describe the details and circumstances of the liquidation, including on what date it was liquidated.
- o. Has the business been dissolved?
- p. If the business has been dissolved, please fully and completely describe the details and circumstances of the dissolution, including on what date it was dissolved.

- q. You represented on your Committee Questionnaire that you worked as Regional Director for U.S. Senator Jon Tester from 2007 to 2012.
- If you owned a business during this time period, did you comply with all federal laws, rules, and regulations governing your simultaneous service on the staff of a U.S. Senator and your ownership of a business, including, but not limited to, Senate Ethics Rules governing matters such as outside earned income and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.
 - If you were employed by a business during this time period, did you comply with all federal laws, rules, and regulations governing your simultaneous service on the staff of a U.S. Senator and your employment by a business, including, but not limited to, Senate Ethics Rules governing matters such as outside earned income and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.
 - If you or a business you owned held a personal or business loan during this time period, did you comply with all federal laws, rules, and regulations governing your simultaneous service on the staff of a U.S. Senator and your holding of a personal or business loan, including, but not limited to, Senate Ethics Rules governing matters such as reporting the loan, outside earned income, and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.
- r. You represented on your Committee Questionnaire that you worked as Acting State Staff Director and Senior Advisor for U.S. Senator Jon Tester in 2012.
- If you owned a business during this time period, did you comply with all federal laws, rules, and regulations governing your simultaneous service on the staff of a U.S. Senator and your ownership of a business, including, but not limited to, Senate Ethics Rules governing matters such as outside earned income and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.
 - If you were employed by a business during this time period, did you comply with all federal laws, rules, and regulations governing your simultaneous service on the staff of a U.S. Senator and your employment by a business, including, but not limited to, Senate Ethics Rules governing matters such as outside earned income and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.
 - If you or a business you owned held a personal or business loan during this time period, did you comply with all federal laws, rules, and regulations governing your simultaneous service on the staff of a U.S. Senator and your holding of a personal or business loan, including, but not limited to, Senate Ethics Rules governing matters such as reporting the loan, outside earned income, and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.

- s. You represented on your Committee Questionnaire that you worked as Director of the Montana Department of Environmental Quality from 2013 to 2014.
- If you owned a business during this time period, did you comply with all state laws, rules, and regulations governing your simultaneous service as Director of the Montana Department of Environmental Quality and your ownership of a business, including, but not limited to, state ethics rules governing matters such as outside earned income and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.
 - If you were employed by a business during this time period, did you comply with all state laws, rules, and regulations governing your simultaneous service as Director of the Montana Department of Environmental Quality and your employment by a business, including, but not limited to, state ethics rules governing matters such as outside earned income and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.
 - If you or a business you owned held a personal or business loan during this time period, did you comply with all state laws, rules, and regulations governing your simultaneous service as Director of the Montana Department of Environmental Quality and your holding of a personal or business loan, including, but not limited to, state ethics rules governing matters such as reporting the loan, outside earned income, and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.
- t. You represented on your Committee Questionnaire that you worked as Chief of Staff to Montana Governor Steve Bullock from 2014 to 2017.
- If you owned a business during this time period, did you comply with all state laws, rules, and regulations governing your simultaneous service as Chief of Staff to Montana Governor Steve Bullock and your ownership of a business, including, but not limited to, state ethics rules governing matters such as outside earned income and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.
 - If you were employed by a business during this time period, did you comply with all state laws, rules, and regulations governing your simultaneous service as Chief of Staff to Montana Governor Steve Bullock and your employment by a business, including, but not limited to, state ethics rules governing matters such as outside earned income and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.
 - If you or a business you owned held a personal or business loan during this time period, did you comply with all state laws, rules, and regulations governing your simultaneous service as Chief of Staff to Montana Governor Steve Bullock and your holding of a personal or business loan, including, but not limited to, state

ethics rules governing matters such as reporting the loan, outside earned income, and outside employment? Please provide the details and circumstances of what steps you took to comply with such laws, rules, and regulations.

Question 15: On September 15, 2020 you posted on Twitter: “Not a bad time to revisit this piece from my husband, Richard Manning, from two years ago. Clarion call. #ActOnClimate”. Your post included a link to your husband’s article published by *Harper’s Magazine* entitled “Combustion Engines.” The article discusses some of the challenges associated with controlling and fighting wildland fires. It also states the following:

“But the federal government then needs to make fighting wildfires—a social process—subject to a social contract. Perhaps the feds should commit themselves to refusing to send in the troops to any county that has not taken such measures. Perhaps the solution to houses in the interface is to let them burn.”

“There’s a rude and satisfying justice in burning down the house of someone who builds in the forest...”

Please respond fully and completely to the following questions:

- a. Why was it “not a bad time to revisit this piece” when you posted this article?
- b. What did you mean when you said “Clarion call” when you posted this article?
- c. Did you play any role in conceptualizing, planning, writing, editing, promoting, or publishing this article?
- d. Please explain what it means “to make fighting wildfires – a social process – subject to a social contract.”
- e. If you are confirmed as the Director of the Bureau of Land Management, do you plan on “refusing to send in the troops to any county that has not taken such measures”?
- f. If there is a wildfire on Bureau of Land Management land in the wildland urban interface that is threatening homes, should those houses be allowed to burn because of where they were built?
- g. Please explain why there is “satisfying justice” in burning down the house of someone who builds in the forest.
- h. Are you satisfied when the house of someone who has built in the forest burns?
- i. Why did you advocate against the government assisting citizens in protecting their property against the danger from forest fires by retweeting your husband’s article?
- j. Are you aware that your refusal to assist investigators in locating trees spiked during the 1989 tree spiking incident in the Clearwater National Forest in Idaho might leave the

property of Idaho residents vulnerable to forest fires since firefighters may not be able to safely remove timber that would aid in stopping a fire?

- k. Has your husband authored similar articles?
- l. Have you played any role in conceptualizing, planning, writing, editing, promoting, or publishing any of your husband's other articles?
- m. Have you further commented, either orally or in writing, including tweets or other social media postings, on any of your husband's other writings?

Question 16: In your graduate thesis published by the University of Montana in 1992 entitled "Into the Heart of the Beast: A Case for Environmental Advertising" you made the following statements:

Grazing is "destroying the West" and people will "have a cow" if they saw what grazing "does to our public land."

"The origin of our abuses is us. If there were fewer of us, we would have less impact. We must consume less, and more importantly, we must breed fewer consuming humans."

"When we overpopulate, the earth notices it more: Stop at two. It could be the best thing you do for the planet."

Americans should "do the truly smart thing" and "stop at one or two kids."

Please respond fully and completely to the following questions:

- a. Do you still believe that grazing is "destroying the west?" If so, why?
- b. Congress has designated grazing as an important part of the Bureau of Land Management's multiple use mission. If you are confirmed as Director of the Bureau of Land Management, how would you reconcile your opposition to grazing on public lands with the Bureau of Land Management's congressionally-mandated multiple use mission?
- c. Do you still believe that children are an environmental hazard?
- d. Do you still believe that population control should be used to protect the environment?
- e. Are you aware that when implemented in China and other countries, population control policies of the kind you have advocated for have resulted in horrific human rights abuses, including sex-selected abortion and infanticide? Do you support such policies?

Question 17: You testified before the U.S. District Court for the Eastern District of Washington in 1993 that you were affiliated with Earth First! at the time of the tree spiking incident. You testified that John Blount, Jeffrey Fairchild, and Daniel LaCrosse were also affiliated with the group. On May 21, 1993 *The Missoulian* published an article entitled "Woman trades her testimony for immunity in spiking case" based on an interview with you. The article described

the Sherwood House in which you lived when you arrived in Missoula, Montana as the home “where several Earth First activists lived.”

You testified that you would sometimes edit a newsletter called the *Wild Rockies Review* for the group. You were listed on the masthead of the *Wild Rockies Review* as providing “Assistance” to the winter 1988 issue and spring 1989 issue under your maiden name of “Stone,” which you were known by at that time.

An article in the winter 1988 issue entitled “Livestock Grazing in America: The Last Chapter” recommended the following: “Lets work together to shut down the livestock industry, taking care of the vast bulk of our problems...”

The masthead in the spring 1989 issue adjoined the lead editorial which tacitly endorsed and glorified “monkeywrenching” and tree spiking. The editorial stated:

“One tool in particular, monkeywrenching, garners much attention, and fosters much debate – both within and outside of the movement. Some criticize those who spend their time writing for being hypocritical, and not getting out into the field to do something directly related to the terrorism that our politicians and military-industrial complex are wreaking. This is all well and good, as the hand that writes need not necessarily be the hand that spikes. What binds us is our common goal to put the Earth First!...”

“We can, as a group make no statement condoning or denying monkeywrenching. As individuals we accept its presence among those who believe it to be an appropriate response to the destructive and suicidal policies of industrial terrorists. Those who practice the fine art of tree spiking or culvert plugging must also realize that monkeywrenching is a personal decision, and that they are responsible for their actions.”

The spring 1989 issue included an article entitled “The Vegetarian Connection” and subtitled “How YOU can keep cattle off public lands.” The article stated:

“Naturally, we’re concerned and furious about the cattle industry’s devastation of free and wild areas of ‘publicly-owned’ land. We’ve seen some of the effects of overgrazing rangeland and forests: the invasion of non-native grass species, absence of native wildlife, senseless killing of ‘problem’ predators, land partitioning with barbed-wire fences, erosion and trampling of vegetation, and desertification and lowering of the water table. Indeed, it has been said that ‘no industry or human activity on Earth has destroyed or altered more of Nature than the livestock industry.’”

The spring 1989 issue also included an article entitled “WREF! Ignites Cody.” The article reported on the testimony of several Earth First! members at a federal wildfire policy hearing in Cody, Wyoming. It stated:

“Polyester Pete from the Cody Chamber of Capitalists pontificated about the horror and destruction caused by the fires and on how the poor people of Cody suffered. About ten similarly nauseating presentations followed before EF! injected sanity into the stagnant air...”

“In contrast, the EF! testimonials applauded the fires as a sure sign that man is not in total control and, as Boo said, we should ‘let it burn, let it rot, let it revegetate.’ Jagoff and the Forge gave a fabulous singing testimony, using Greg Keeler lyrics, that was totally misinterpreted by the dull-witted press. Colorado Brad did a silent testimony for all the species facing extinction that made the cowboys and rednecks squirm. Bill Bob perhaps said it best, comparing Cody to a barnacle on a whale’s back and reminding people that Yellowstone does not exist to prop up Cody.”

You were also listed as a member of the Editorial Collective for the June 21, 1991 edition of Earth First!’s *The Radical Environmental Journal*. That issue included an article entitled “Clearwater Inactive” that reported on the federal government’s investigation into the tree spiking incident in the Clearwater National Forest in Idaho in 1989. It stated:

“The Forest Service has finally given official word that the investigation of a tree spiking in the Clearwater National Forest is officially ‘inactive.’ That means it’s still in their filing cabinets, but no one is paid to look at it.

“You may remember that the feds raided the Sherwood House, former EF! contact in Missoula, in April, 1989, in relation to the alleged tree spiking. The following September, seven people, including several EF!ers, were subpoenaed by a grand jury to present hair samples, fingerprints, palmprints and handwriting samples.

“Recently, the feds released the affidavit that allowed for the search. Apparently, a silver Honda was seen parked on the side of the road near Post Office Creek for a couple of days surrounding the alleged spiking time. A VW bus was also seen.

“The affidavit allows that a Forest Service investigator drove by the Sherwood House and saw a silver Honda parked outside, belonging, the affidavit said, to Lilburn. The investigator also saw a VW bus. The affidavit describes a male with long dark hair and a beard seen through a window standing in the Sherwood’s kitchen. The investigator pegged that man to be Lilburn.

“Well, those spending your tax dollars were busily bungling facts. At the time, Lilburn drove a bright yellow Honda. The VW bus did not have an engine; it was more a lawn decoration than a vehicle. And if Lilburn was seen through the window, he must have been standing in front of the sink, which means he was doing the dishes. Clearly, the Grand Jury should have been called over Bikini doing the dishes, not over the handy mix up in car colors.

“Two years later, Bikini still loathes doing the dishes, and the feds still have no case. Life goes on in Missoula.”

Please respond fully and completely to the following questions:

- a. With regard to the winter 1988 issue’s recommendation that we should “work together to shut down the livestock industry”:

- Do you agree that this view is similar to views you expressed in your graduate thesis published by the University of Montana in 1992?
 - Did you agree with the inclusion of an article expressing this view in the winter 1988 issue when you were listed on the issue's masthead?
 - Did you express any objection to including an article expressing this view in the winter 1988 issue?
 - Do you agree with this view today?
- b. With regard to the spring 1989 issue's lead editorial tacitly endorsing and glorifying monkeywrenching and tree spiking:
- Did you agree with the inclusion of a lead editorial tacitly endorsing and glorifying monkeywrenching and tree spiking in the spring 1989 issue when you were listed on the issue's masthead?
 - Did you express any objection to including a lead editorial tacitly endorsing and glorifying monkeywrenching and tree spiking in the spring 1989 issue?
 - Do you agree with the lead editorial's tacit endorsement and glorification of monkeywrenching and tree spiking today?
 - Did you agree with the view that those persons who took direct action to conduct monkeywrenching, tree spiking, and other eco-terrorist activities were bound by "a common goal to put the Earth First!" with those persons who only wrote about the need to protect the environment?
 - Do you agree with this view today?
 - Did you agree with the view that as an individual person it was reasonable to "accept" the "presence" of monkeywrenching, tree spiking, and other eco-terrorist activities "among those who believe it to be an appropriate response to the destructive and suicidal policies of industrial terrorists"?
 - Do you agree with this view today?
 - Did you, as an individual person, accept the presence of monkeywrenching, tree spiking, and other eco-terrorist activities among those who believed it to be an appropriate response to the destructive and suicidal policies of industrial terrorists?
 - Do you accept this today?
 - Did you agree with the view that those who practice monkeywrenching, tree spiking, or other eco-terrorist activities were making a personal decision and were solely responsible for their actions? Or did you believe that those who facilitated

the glorification of such activities through different forums, including through journals like the *Wild Rockies Review*, also bore some responsibility?

- What is your view today?
- c. With regard to the spring 1989 issue's article recommending that people take action to keep cattle off public lands and shut down the livestock industry:
- Do you agree that this view is similar to views you expressed in your graduate thesis published by the University of Montana in 1992?
 - Did you agree with the inclusion of an article expressing this view in the spring 1989 issue when you were listed on the issue's masthead?
 - Did you express any objection to including an article expressing this view in the spring 1989 issue?
 - Do you agree with this view today?
- d. With regard to the spring 1989 issue's article glorifying testimony by several Earth First! members at a federal wildfire policy hearing in Cody, Wyoming that "applauded the fires as a sure sign that man is not in total control and, as Boo said, we should 'let it burn, let it rot, let it revegetate.'":
- Do you agree that this view is similar to views your husband expressed in his article published by *Harper's Magazine* entitled "Combustion Engines" which you endorsed in a tweet you posted on September 15, 2020?
 - Did you agree with the inclusion of an article expressing this view in the spring 1989 issue when you were listed on the issue's masthead?
 - Did you express any objection to including an article expressing this view in the spring 1989 issue?
 - Do you agree with this view today?
 - Did you think it was appropriate to include in the spring 1989 issue an article that ridiculed the people of Cody, Wyoming for speaking of the "horror and destruction caused by the fires," and for highlighting how they had "suffered" as a result of the fires?
 - Did you express any objection to including an article that ridiculed the people of Cody, Wyoming in this way in the spring 1989 issue?
 - Do you think including an article that ridicules the people of Cody, Wyoming in this way is appropriate today?

- Did you think it was appropriate to include an article in the spring 1989 issue that ridiculed the people of Cody, Wyoming by “comparing Cody to a barnacle on a whale’s back and reminding people that Yellowstone does not exist to prop up Cody”?
 - Did you express any objection to including an article that ridiculed the people of Cody, Wyoming in this way in the spring 1989 issue?
 - Do you think including an article that ridicules the people of Cody, Wyoming in this way is appropriate today?
- e. With regard to the June 21, 1991 article entitled “Clearwater Inactive” that reported on the federal government’s investigation into the tree spiking incident in the Clearwater National Forest in Idaho in the spring of 1989:
- As a member of the Editorial Collective of the June 21, 1991 edition of EarthFirst!’s *The Radical Environmental Journal* that published the article, did you play any role in the conceptualization, development, drafting, writing, editing, promotion, or approval of this article?
 - As a member of the Editorial Collective of the June 21, 1991 edition of EarthFirst!’s *The Radical Environmental Journal* that published the article, did you ever discuss at any time with any other person, including any other member of the Editorial Collective, the article and its contents, including, but not limited to:
 - The fact that you had personally prepared and mailed the letter that informed the U.S. Forest Service of the tree spiking incident referenced in the article?
 - The fact that you had personal knowledge of the identities of others associated with the tree spiking incident referenced in the article?
 - The fact that you were one of the seven people referenced in the article that were subpoenaed by a grand jury to produce hair samples, fingerprints, palmprints, and handwriting samples?
 - The fact that Timothy Bechtold, who received a “Special thanks” just under your name on the June 21, 1991 edition’s masthead, was one of the seven people referenced in the article that were subpoenaed by a grand jury to produce hair samples, fingerprints, palmprints, and handwriting samples?
 - The fact that you had at some point lived at Sherwood House referenced in the article as being raided and surveilled by federal law enforcement agents?

- The fact that you had been (and possibly continued to be) under investigation for your activities associated with the tree spiking incident referenced in the article?
- The fact that you had material information that would be helpful to the investigators and their investigation referenced in the article?
- The fact that you were withholding material information that would be helpful to the investigators and their investigation referenced in the article?
- The fact that, at that time, you had already withheld material information that would be helpful to the investigators and their investigation referenced in the article for more than two years?
- Did you think it was appropriate to include an article in the June 21, 1991 edition that ridiculed the federal investigators and the federal investigation into the tree spiking incident?
- Did you think it was appropriate to include an article in the June 21, 1991 edition that ridiculed the federal investigators by stating: “Well, those spending your tax dollars were busily bungling facts.”?
- Did you think it was appropriate to include an article in the June 21, 1991 edition that ridiculed the federal investigators for “spending your tax dollars” on an investigation in light of the fact that, at that time, you had withheld material information from the investigators for more than two years that would have precluded the need for the investigators to spend tax dollars on a more than two year investigation?
- Did you think it was appropriate to include an article in the June 21, 1991 edition that ridiculed the federal investigators by stating: “Clearly, the Grand Jury should have been called over Bikini [Mr. Lilburn] doing the dishes, not over the handy mix up in car colors.”?
- Did you think it was appropriate to include an article in the June 21, 1991 edition that ridiculed the federal investigators by stating: “Two years later, Bikini still loathes doing the dishes, and the feds still have no case. Life goes on in Missoula.”?
- Did you think it was appropriate to include an article in the June 21, 1991 edition that ridiculed the federal investigators for having “no case” after two years in light of the fact that, at that time, you had withheld material information from the investigators for more than two years that would have provided them with the foundation for a case?
- Did you express any objection to including an article in the June 21, 1991 edition that ridiculed the federal investigators and the federal investigation?

- Do you have a copy of the affidavit referenced in the article? If so, please provide a copy. If not, please indicate where it may be obtained, if you know.
- Did you own, rent, borrow, drive, or otherwise ride as a passenger in a silver Honda at any time in 1989?
- Did you know of any other person who owned, rented, borrowed, drove, or otherwise rode as a passenger in a silver Honda at any time in 1989?
- Were you aware of a silver Honda being parked on the side of the road near Post Office Creek in the vicinity of the tree spiking incident in the Clearwater National Forest in Idaho “for a couple of days” in the spring of 1989?
- Did you own, rent, borrow, drive, or otherwise ride as a passenger in a VW bus at any time in 1989?
- Did you know of any other person who owned, rented, borrowed, drove, or otherwise rode as a passenger in a VW bus at any time in 1989?
- Were you aware of a VW bus being parked on the side of the road near Post Office Creek in the vicinity of the tree spiking incident in the Clearwater National Forest in Idaho “for a couple of days” in the spring of 1989?
- Did you own, rent, borrow, drive, or otherwise ride as a passenger in a bright yellow Honda at any time in 1989?
- Did you know of any other person who owned, rented, borrowed, drove, or otherwise rode as a passenger in a bright yellow Honda at any time in 1989?
- Were you aware of a bright yellow Honda being parked on the side of the road near Post Office Creek in the vicinity of the tree spiking incident in the Clearwater National Forest in Idaho “for a couple of days” in the spring of 1989?
- The article in the June 21, 1991 edition ridiculed the federal grand jury in Boise, Idaho for being convened “over the handy mix up in car colors.”
 - Did you have any knowledge that the federal investigation had, in fact, been impaired by a “mix up in car colors”?
 - Did you have any knowledge that the information the investigators represented in their affidavit that a “silver” Honda “was seen parked on the side of the road near Post Office Creek for a couple of days” was incorrect – and that it was, in fact, a “bright yellow” Honda?
- Did you know a “male with long dark hair and a beard” that resided at or may have been a guest at Sherwood House in Missoula, Montana at any time in 1989?