



U.S. Department of Justice

*United States Attorney
Northern District of Mississippi*

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Oxford, Mississippi 38655-3626*

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February 12, 2007

Honorable Thomas D. Bevers
3127 Maple Drive, N.E.
Atlanta, GA 30305

RE: Robert Moultrie

Dear Tom:

We are in receipt of your letters dated December 28, 2006, and January 29, 2007, regarding Robert Moultrie and The Facility Group. It is my understanding that you and FAUSA Tom Dawson have discussed the letters and our probable response. Having reviewed your offer to view the results of a private polygraph taken by Mr. Moultrie, we respectfully decline to consider said results under the terms you offer.

As we previously stated, we would like to interview Mr. Moultrie under a modified version of Rule 11, Federal Rules of Criminal Procedure. Subsequently, Mr. Moultrie would be required to submit to a polygraph conducted by a polygrapher of our choosing. Then, and only then, would we consider the results of the polygraph you submitted.

If your client is willing to engage in such, we will present for your consideration and signatures our standard Rule 11 proffer agreement. The proffer agreement provides limited immunity: Except as otherwise provided, the government will not offer in evidence in its case-in-chief, or at sentencing, any statements made by your client at the meeting. However, we will retain the right to make derivative use of information gained from the proffer session and polygraphs as follows: (a) the government may use information derived directly or indirectly from the proffer session and polygraphs to obtain and pursue leads to other evidence, which evidence may be used for any purpose, including any prosecution by the government, and (b) any statements made by your client during the proffer session and polygraphs and all evidence obtained directly or indirectly from those statements may be used by the government to cross-examine him should he testify, or to rebut any evidence, argument or representation offered on his behalf in connection with the trial or sentencing or in any other prosecution of him.

We believe you will find these ground rules fair and reasonable to ensure that both Mr. Moultrie and this office are protected in regard to an "off-the-record" discussion and both polygraphs. Should your client wish to avail himself of this opportunity please let us know as

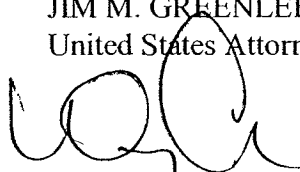
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soon as possible so that arrangements can be made. In the event that he chooses not to do so, we will send back your polygraph examination which has been maintained in our vault in its original sealed state.

Very truly yours,

JIM M. GREENLEE
United States Attorney

By:

A handwritten signature in black ink, appearing to read 'WCL', written over the printed name of William C. Lamar.

WILLIAM C. LAMAR
Assistant United States Attorney

WCL/lbk