



THIRD JUDICIAL DISTRICT  
COURT OF KANSAS

Richard D. Anderson  
District Judge

Shawnee County Courthouse  
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January 9, 2007

Paul J. Morrison  
Kansas Attorney General  
120 SW 10th Street  
Memorial Building  
Topeka, Kansas 66612

Re: Inquisition Case No. 04IQ3

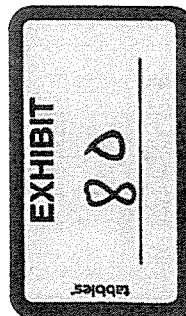
Dear Mr. Morrison:

I am providing a copy of the Status and Disposition Report filed by former Attorney General Kline with the Court on January 8, 2007. This report has been offered in compliance with the Court's direction to former Senior Assistant Attorney General Steven D. Maxwell to provide an accounting for copies of medical files which are subject to protective orders. With this report, Special Agent Tom Williams and Special Agent Jared Reed delivered five file boxes containing evidence identified in paragraph 1 of the Status and Disposition Report.

In paragraphs 2 through 7, the Report discloses names of law enforcement officials and experts to whom copies of redacted medical records have been provided for work related to the possible filing of criminal charges. With respect to these matters, I direct your attention to three items.

First, in paragraph 4, Mr. Maxwell reports that he retrieved files from Donald McKinney, the special prosecutor appointed by Attorney General Kline. Apparently, Mr. McKinney was not provided any medical files but was given access to pleadings, correspondence and other documents gathered during the criminal investigation. The report raises question as to whether the special prosecutor copied any materials. You are requested to determine whether the special prosecutor has possession of copies of any materials and to supplement the Status and Disposition Report.

Second, in paragraph 5, Mr. Maxwell represents that Dr. Paul McHugh, a psychiatrist at Johns Hopkins Medical Center, has possession of medical files. Dr. McHugh was directed by Mr. Kline's office to return the files directly to the Court. Since Dr. McHugh has been employed as an expert by the Office of the Attorney General, any communication, including return of any files, should be made to your Office.



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Third, paragraph 6 of the report suggests SRS records for 2002 and 2003 "will be returned to SRS..." Special Agent Williams informed me on January 8 that those records had been returned to SRS.

Finally, with respect to other medical records, the report identifies copies of transcripts of testimony of Dr. Kristin Neuhaus but does not identify the location of redacted medical records which were to have been attached to her statement. In this regard, I have communicated with Special Counsel Stephen Cavanaugh. Mr. Cavanaugh informs me that records identified as Exhibits 2 and 3 were redacted and provided to the court reporter to be attached to the transcript of testimony of Dr. Neuhaus.

I am not sure why the former Attorney General deposited boxes of records with the Court before leaving office. I suspect the motivation may arise from mutual distrust and political disdain the two of you may have for each other related to the election. In any event, the Court has not ordered the Office of the Attorney General to return redacted medical files or other documents at this time. You may retrieve the evidence returned to the Court which has been identified in the Status and Disposition Report.

Very truly yours,



Richard D. Anderson  
District Judge

RDA/ss  
Enclosure