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**CONFERENCE CALL AND PRESS STATEMENT CONCERNING GOVERNMENT'S
DISMISSAL OF CASE AGAINST AIPAC LOBBYISTS WITH DEFENSE COUNSEL
FROM MCDERMOTT WILL & EMERY AND ARENT FOX**

DATE/ TIME: MAY 1, 2009/ 2:00 P.M. EST

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PRESS STATEMENT

GOVERNMENT DROPS 5 YEAR OLD CASE CHARGING AIPAC LOBBYISTS

Statement of Abbe D. Lowell and John Nassikas & Baruch Weiss

Washington, D.C. - May 1, 2009 – Today the government moved to dismiss criminal charges in the most important first amendment case in the country. Almost 5 years ago, FBI agents arrived at the offices of the American Israel Public Affairs Committee (AIPAC) in Washington, D.C. to conduct a search based on their mistaken idea that our clients, Steven Rosen and Keith Weissman, had violated the Espionage Act of 1917. From the day of the search to the charges that were brought a year later, this case has been wrong.

It was wrong for the government to single out AIPAC and our clients and allege wrongdoing when all they ever did was their job of helping the United States create better foreign policy; it was wrong to apply the Espionage Act to people who clearly were not spies; it was wrong to invent a new application of a 1917 law to non-government officials when

government officials in the case were not charged and even were promoted; it was wrong to seek to chill debate about American foreign policy by charging foreign policy advocates and threatening that these charges could be brought against journalists; and, it was especially wrong, not to see the many flaws in the case so that these two men and their families had to live under this unfair cloud for so long.

We are extremely grateful that this new Administration, in coordination with the U.S. Attorney's Office in Virginia, has taken seriously their obligation to evaluate cases on the merits and not to allow an unjust prosecution to continue solely due to momentum. This Administration truly shows that theirs is a Department of Justice, where the justice of any case can be re-evaluated and the government can admit that a case should not be pursued. We are indebted to the district court who took so much time and gave so much attention to the serious issues that were raised in this unprecedented prosecution and who sharply focused those issues in more than a dozen published opinions. And, we are thankful that the first amendment values of our country have been recognized.

At the trial that was just 30 days away, we would have shown, as if we had the burden of proof, that: (1) the information our clients obtained was not classified national defense information, (2) their actions were motivated solely with the interests of the United States in mind, and (3) the government officials with whom they met (some named in the indictment and many who were not) believed that AIPAC and our clients operated in the best interests of our country.

While our clients and their families could not be happier that this day that vindicates their complete innocence has finally come, the case has taken a tremendous toll on them. They lost their jobs unnecessarily, they were shunned by many in their community, and they were left to

fight these outrageous charges on their own. We hope that in time, this case will be reviewed so that the public will know why it was started in the first place, why its was leaked to the press, and why our clients were singled out for conduct done by literally thousands of foreign policy advocates, journalists and government officials every year. In addition, this case should result in a new look by Congress and the Executive Branch to amend the laws to insure that only real espionage is prosecuted as a crime and only information that really does affect the national security is classified. Otherwise, the trauma that our clients have faced, could be unfairly repeated for some other innocent person in the future.

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McDermott Will & Emery attorneys on the case were Abbe D. Lowell and Erica E. Paulson.

Arent Fox attorneys on the case were John Nassikas, Baruch Weiss, Kate Briscoe, and Kavitha Babu.

For more information:

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