

January 18, 2011

VIA EMAIL AND FIRST CLASS MAIL

Gary J. Cohen, Esq.  
General Counsel  
Financial Crisis Inquiry Commission  
1717 Pennsylvania Avenue., NW, Suite 800  
Washington, DC, 20006

Re: Potential Use of Statements from Dow Kim

William M. Moran  
Partner  
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Dear Mr. Cohen:

We are in receipt of an email from Deputy General Counsel Cassidy Waskowicz, sent yesterday, notifying us that the FCIC soon may publish Mr. Kim's recorded interview on its website, and directing that any "specific objections (with time stamp references) to the release of this interview by the end of the day [today]."

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First, we find it extraordinary that your office contacted us only yesterday, on a national holiday, to demand for the first time that any specific objections to information revealed in an interview conducted more than four months ago be asserted by the end of today. This is particularly outrageous in view of the fact the FCIC voted to give itself more than an extra month to issue its report.

This is even more egregious in view of the fact that the Commission did not provide Mr. Kim with access to the audio files containing his interview. Nor have we been served with any transcripts. Accordingly, we are unable to cite specific "time stamp references" as to any information revealed during the interview, as to which we may wish to object.

BOSTON

While we once again emphasize Mr. Kim's willingness to remain fully cooperative with the Commission, we maintain that immediate publication of his interview without an appropriate amount of time to review the recordings and to determine the appropriate specific objections to assert on Mr. Kim's behalf, would unfairly prejudice Mr. Kim. Accordingly, until such time as the FCIC provides the appropriate access and allows a fair amount of time to assert more specific objections, we must object to the Commission's release of the interview.

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Failing this reasonable due process for Mr. Kim by the Commission, we hereby object to publishing the interview particularly as it relates to the following portions: all confidential information relating to Mr. Kim, personally, as well as his personal relationships with other parties; any discussions of highly sensitive and proprietary business and financial investment information, including discussions of any new business ventures; any private and privileged conversations with regulators; and any conversations regarding personnel evaluation and performance.

Please do not hesitate to contact me should you have any questions.

Thank you.

Very truly yours,



William M. Moran