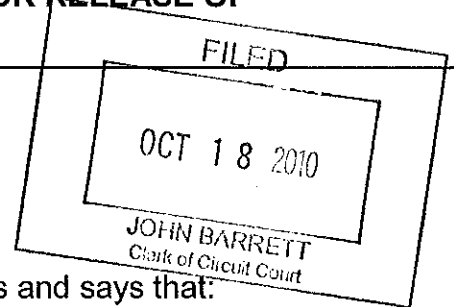


AFFIDAVIT IN SUPPORT OF PETITION FOR RELEASE OF "PARAGRAPH 2" DATA

STATE OF WISCONSIN)
) ss.
MILWAUKEE COUNTY)



David E. Budde, being first duly sworn on oath, deposes and says that:

1. I am the Chief Investigator of the Milwaukee County District Attorney's Office. I am a sworn law enforcement officer as described in previous Affidavits submitted in this John Doe investigation. I am assigned as the District Attorney Investigator acting in support of the above-encaptioned John Doe proceedings.

2. This Application is made in support of a request for examination of data described in ¶2 of Subpoenas Duces Tecum issued by the John Doe judge in May 2010. The subpoenas were directed to Laurie Panella, Ed White and Tyrone Johnson of the Milwaukee County Information Management Services Division. In ¶2 of those subpoenas, the preservation of certain data was ordered as follows:

A copy of all computer files of any type, existing as of May 13, 2010, stored on the Milwaukee County network, which computer files are stored in connection with the user accounts of all employees working within the Office of the County Executive. This data will be held by the John Doe judge and release of this information will be Subject to the further Order of the John Doe judge as may be appropriate upon an examination of the data produced in connection with ¶1 above.

3. I respectfully represent to the court that based upon the progress of the investigation thus far, I believe there is a reasonable basis for believing that this "Paragraph 2" information is relevant to the investigation for the following reasons:

- a. This current request is based on the return of a Search Warrant served upon Gmail for timrussellwi@gmail.com.
- b. A review of the information obtained from timrussellwi@gmail.com has revealed that employees of the County Executive's office, including Darlene Wink, Timothy Russell, Thomas Nardelli, and Kelly Rindfleisch, during usual business hours of Milwaukee County employees, were in communication with

persons associated with, and working for, the Friends of Scott Walker. The method of communication was e-mail, frequently involving the use of private e-mail accounts. In many instances, information was forwarded from county e-mail accounts to private e-mail accounts and it was then immediately circulated to a group of others for discussion, including campaign workers.

c. The court has previously recognized the value of e-mail communications and electronic data to this investigation. While the John Doe investigation originally segregated the "Paragraph 2" data at a time when the scope of questionable activity within the County Executive's Office was then unknown, I respectfully submit that the investigation has indicated that the scope of questionable conduct has widened to include others within that office.

d. For these reasons, I submit that the "Paragraph 2" information will be potential evidence relating to political and/or campaign work occurring during the work days of Milwaukee County employees.

4. For all these reasons, I request that the court enter an Order releasing this data to the John Doe investigations for examination and inspection consistent with the John Doe investigation as currently configured and as it may be enlarged in the future.

Dated at Milwaukee, Wisconsin this 18th day of October 2010.

David E. Budde
Chief Investigator
Milwaukee County District Attorney's Office

Subscribed and sworn to before me
at Milwaukee, Wisconsin on
this 18th day of October 2010

Notary Public, Milwaukee County
State of Wisconsin
My commission is permanent.

