

RELEASE IN PART  
B6

**From:** Mills, Cheryl D <MillsCD@state.gov>  
**Sent:** Wednesday, December 8, 2010 9:38 PM  
**To:** H  
**Subject:** Fw: Fwd: cloture votes on Liu

See b/l - read all the way down for the 60

**From:** Ann O'Leary [redacted]  
**To:** Mills, Cheryl D; Verveer, Melanne S; blindsey [redacted]  
**Cc:** jlichtman [redacted]  
**Sent:** Wed Dec 08 19:46:49 2010  
**Subject:** Fwd: cloture votes on Liu

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Dear Cheryl, Melanne and Bruce -

As you may know Senator Reid circulated a cloture petition on Goodwin right before Thanksgiving. We know that if he does not file it and get this vote done now, it is unlikely to happen in the next Congress.

We have done a tremendous amount to secure 60 votes and we have them - please see below. But Senator Reid said today in the caucus lunch today that he is unlikely to move forward with the 4 controversial nominees and is trying to get a lame duck deal on 20-30 uncontroversial judicial nominees instead. This is short-sighted at best. These uncontroversial nominees can get a vote in the next Congress. It is Goodwin who needs the vote now.

I know you have been reluctant to have HRC weigh in because you don't think we have 60 votes and I know President Clinton has been extremely busy. But I am certain we have the 60 votes and I know their help could really make a difference right now.

And even if we don't have 60 votes (which we do) we should make the Rs break all their promises on allowing judicial nominees up or down votes by voting against cloture (11 Senators have never voted against cloture in their entire Senate history). Finally, there are two important things to remember: (1) The Democrats allowed the Republicans to have a cloture vote on Miguel Estrada seven times - certainly we should at least try once on our own guy; (2) Justice Breyer, who was controversial at the time for a conflict of interest issue, got on the First Circuit Court of Appeals in the 1980 lame duck session after the Dems lost both the Senate and the WH - we should have at least as much courage to get this done now.

I promise to never ask again. But could either HRC or President Clinton weigh in with Reid or the WH to encourage them to call the vote on Goodwin?

Thank you,  
Ann

----- Forwarded message -----

**From:** Vincent Eng <[redacted]>  
**Date:** Wed, Dec 8, 2010 at 4:14 PM  
**Subject:** RE: cloture votes on Liu

To: "Brown, Lisa" [redacted] "Zirkin" [redacted]

**The 60**

- We have all the Dems except Webb (including Nelson, Manchin, Tester, Baucus, Pryor, Landrieu, Lincoln – all confirmed). + 57
- We have Brown – directly from Senator. + 58
- “Can’t imagine cloture is an issue, only issue is the merits” from Collins Chief of Staff. +59
- Murkowski senior judiciary staff “unless Goodwin is a child pornographer, Murkowski is going to support cloture.” (Goodwin is not a child pornographer.) + 60

**Beyond the 60**

- Snowe – family connection, good meeting, LCCR has hundreds of calls into home state office.
- Lugar – Inouye spoke to him early. Honda spoke to him within the last 3 weeks and provided information. Lugar was receptive to Honda. We are following up.

**Webb**

Significant high level outreach and messaging to Webb that he should support on cloture and that he is the only Dem not in-line. WH could really help here.

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**From:** Brown, Lisa [mailto:[redacted]]  
**Sent:** Wednesday, December 08, 2010 6:50 PM  
**To:** Vincent Eng; 'Zirkin' [redacted]  
**Subject:** cloture votes on Liu  
**Importance:** High

Can you send me your list of who will vote for cloture? I know we have talked thru this, but the rubber is hitting the road and we are, of course, hearing different things. Thx!

Lisa Brown

Assistant to the President and Staff Secretary

The White House



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