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November 17, 2020

Ken Paxton  
Attorney General of Texas  
Office of the Attorney General

Brent Webster  
First Assistant Attorney General  
Office of the Attorney General

*Via email delivery*

**Re: REQUEST FOR RESPONSE TO OCTOBER 11, 2020 LETTER AND DEMAND FOR PRESERVATION OF DOCUMENTS AND LITIGATION HOLD**

Dear Attorney General Paxton:

I am following up on my October 11, 2020 letter and demand for preservation of documents regarding recent activities in the Office of Attorney General (the "OAG") that affect my client Nate Paul. Given that these activities continue to adversely impact Mr. Paul, we are again asking for a response.

We believe the OAG's mishandling of the the complaints Mr. Paul filed with the Travis County District Attorney and which were referred to your office has resulted in an abusive invasion of his right to privacy. This has misdirected public attention away from likely unlawful conduct by your former staff. It has also resulted so far in: (i) intentional exposure to the public by your staff of my client's confidential complaints;<sup>1</sup> (ii) the hasty "closing" of your review of one of the complaints with citation to inapplicable statutes, and; (iii) inaccurate statements by your employees or former employees concerning their refusal to review the complaints and other matters, which appear intended to damage Mr. Paul's reputation and business standing in the community.

In fact, no formal review of the serious matters set forth in my client's complaints was ever conducted, and it now appears your former employees never intended to conduct an objective review. We have considerable evidence showing that the assertions by your former employees that Mr. Paul's complaints were meritless are false and very likely defamatory. The State of Texas should hold these

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<sup>1</sup> Disclosing to the media confidential government records concerning the Complaint Review is a violation of Texas Penal Code Sec. 37.10, which provides in relevant part: "A person commits an offense if he: . . . (4) possesses . . . a governmental record with the intent that it be used unlawfully."

former employees accountable for their actions, which should be the subject of independent investigation.

We hope you will restore trust and confidence in the OAG by responding to our October 11 letter, and by addressing these specific issues:

- **Threats That May Be Impeding Investigations**—A late-night text message sent by Bryan Hardeman, a subject of one of Mr. Paul's complaints, to Attorney General Paxton with a picture of a dead animal and the statement "Stay the Hell Away from Nate Paul" that we learned about after we sent our Oct. 11 letter. This threat is shocking and gives rise to understandable concern for my client's safety.
- **False Statements**—The mishandling of complaints by OAG staff and their false statements to prejudice further investigation of Mr. Paul's legitimate concerns. Mr. Paul went through proper channels to ask that his complaints be investigated. The prejudice by OAG staff should be alarming to all Texans.
- **Inappropriate Coordination to Undermine the Investigation**—A previously undisclosed June 16, 2020 conference call arranged by Ray Chester, counsel for the Mitte Foundation who is spearheading litigation against Mr. Paul. The participants included Mr. Chester, FBI and DOJ personnel who are subjects of Mr. Paul's complaint, and Ryan Bangert and Joshua Godbey of the OAG. We have evidence showing that the conference call occurred, that the OAG shared information with persons who are subjects of the complaint, and that the subjects of the complaint attempted to influence the OAG attorneys' actions in that civil litigation. We also have evidence showing that subjects of the confidential complaint were made aware of its details relating to them, and that they subsequently shared false information about Mr. Paul in an attempt to dissuade the OAG from conducting a proper investigation.
- **Additional Threats**—We were informed that Joshua Godbey told OAG management that he was "threatened" on the June 16 call, and that that this is why he elected to abandon his oversight function in the Mitte Foundation matter. We were also informed that Ryan Bangert and Joshua Godbey stated that FBI and DOJ officials were probing OAG employees about their decision to intervene, and that they were discouraged from giving proper consideration to the issues raised about the Mitte Foundation. This inappropriate call took place after the OAG accepted the complaint referral, which corroborates our concern that improper influence was brought to bear on the OAG.
- We are aware that other senior OAG officials assigned to investigate Mr. Paul's complaint reported directly to the Attorney General about being "threatened" by colleagues who sought to protect subjects of the complaint.
- **Apparent Obstruction to Prevent OAG Investigation of the Mitte Foundation**—After the OAG expressed intention to take action on legitimate concerns about possible misuse of funds at the Mitte Foundation, First Assistant Jeff Mateer hired Layla Milligan to work in the very office that would have investigated the issue. His action was taken without notice to the Attorney General and created a significant conflict of interest given that she is the wife of the receiver hand-picked by the Mitte Foundation in its litigation against Mr. Paul. The OAG and



the receiver never disclosed this conflict of interest to any of the parties involved, all the while employees of the OAG admitted that the compensation to Mr. Milligan was significantly above market and seemingly unjustified, yet they refused to take any action.

The contention by former staff that OAG investigation of the serious matters my client raised would improperly benefit him is preposterous. OAG actions to date have only served to frustrate any resolution, and worse, appear to have been intended to create false impressions of the truth and damage Mr. Paul.

Former OAG employees continue to provide false information to the media and the public regarding the complaints and the events set forth herein. Inaction by your office to correct their false claims compounds the damage to Mr. Paul and has subjected him to harassment and reputational damage.

It is important and just for the OAG to address all of these matters, and to set the record straight.

Regards,

A handwritten signature in blue ink, appearing to read "Michael Wynne", with a long horizontal flourish extending to the right.

Michael Wynne