

Dear Mr. Bannon

The brief story I'm about to tell you is about an American dream turned into a nightmare by the federal government under the Obama administration. It's about my friends and I, a small group of patriotic African-American, some with military service, who joined together to use our technical talents as senior IT professionals to develop an innovative case management software solution to help our nation's law enforcement improve their information sharing and collaboration capabilities. The software is called CILC (pronounced "silk") which is an acronym for Case Investigative Life Cycle that was developed by the IRP Solutions Corporation. Given the continuing information sharing failures that contributed to the Boston Marathon bombing and the most recent Parkland shooting, CILC could make a real difference for President Trump and the FBI's goals to protect America.

CILC was disruptive and a threat to large defense contractors and systems integrators who were vying for case management modernization contracts with the FBI, DHS and other federal law enforcement agencies after 9/11. CILC was the gold-standard and its capabilities were used to create the RFI (Request for Information) for the Federal Investigative Case Management System (FICMS) initiative in 2004. One week after the closing date for FICMS RFI submissions, DHS contacted us to come demonstrate CILC to a joint DHS/DOJ FICMS working group in DC which included four FBI special agents from the bureau's Office of Chief Information Officer along with others from ICE, Secret Service, U.S. Marshals, Border Patrol and other agencies. The demonstration took place on October 28, 2004.

After the demonstration, the senior DHS official who coordinated the meeting told us the FBI was very impressed with CILC and recommended that we develop a partnership with a large defense contractor or systems integrator who was capable of handling the business infrastructure needed for a large government contract and we could be the subcontractor who provided CILC as the enabling technology. On December 1, 2004, DHS requested and received a \$100 million quote for two modules (Core Case Management & Confidential Informant) for their 2005 budget exercise. Not too long thereafter, large defense contractors like Computer Sciences Corporation and IBM contacted us at the urging of DHS officials. A couple of months later our nightmare began.

Just two months later, on February 9, 2005, twenty-one armed FBI agents raided our business with a warrant claiming we were a "purported" software development company and alleged that unpaid debts to staffing companies were obtained as part of a mail and wire fraud scheme to bilk staffing companies. The warrant authorized the seizure of financial records associated with staffing companies but the FBI had another sinister motive. To steal CILC. You might ask why the FBI would try to steal CILC? Because FBI Director Robert Mueller was under intense congressional and public pressure to modernize their case management software after the 9/11 commission concluded their antiquated case management system contributed to information sharing failures that caused the 9/11 attacks. Mueller had already wasted \$400 million dollars on the failed Virtual Case Files (VCF) project and congressional pressure was rapidly metastasizing. On February 3, 2004, six days before the raid, Mueller told Congress in a hearing that he would have a commercial-off-the-shelf (COTS) case management product implemented in a year. CILC was the only COTS option product available to Mueller that would support FBI case management requirements and the software had been vetted by DHS for over a year. It is my belief that CILC was simply too good to be true and the FBI believed that there was no way possible this small African-American company was capable of developing software that could support the mighty FBI when

a large defense contractor had already failed. Given the increasing pressure on Mueller, the lack of a viable product from billion-dollar systems integrators, the vetting of the CILC by DHS and the positive press surrounding CILC, the FBI could not discount the viability of the product but also didn't feel comfortable taking the risk on this small minority company that would bring more scrutiny about their judgment if it failed. The only safe option to mitigate that risk was to steal CILC for a large company and destroy IRP and its executives.

On the day of the raid FBI agents arrived at 9am and spent the next 13 hours imaging every single desktop, laptop and server in our company and exited our offices leaving many staffing-related documents behind. Fortunately, they didn't get the latest version of the software because it wasn't kept onsite as part of company security procedures. Mueller broke his promise to implement a COTS case management product within a year and instead spent \$825 million dollars on another failed modernization project called Sentinel. The FBI's Chief Technology officer said in 2012 that Sentinel's "demise" occurred when the FBI tried to "build...an independent electronic case management system" like CILC. The repercussions of Mueller's failure to modernize the bureau's case management are still being felt today where FBI information sharing failures contributed to or were responsible for the Boston Marathon bombing that killed 3 and injured 264 and the Parkland, Florida shooting where 17 high school students and teachers died after FBI failed to share tip information with its Miami field office.

The Obama Justice Department destroyed our small minority business and wrongly imprisoned us and by doing so deprived our nation of software that could help save American lives. Because our case was clearly a civil matter, the amount of prosecutorial and judicial misconduct to gain an unconstitutional conviction was so staggering, it prompted a former federal appellate judge to send a personal letter to President Obama asking for clemency. We know Obama got the letter because it was confirmed by email to two top Obama aides with the White House Counsel's office (Roy Austin and Joshua Friedman). We were shocked when Obama disregarded the judge's letter, ignored our innocence and ignored irrefutable evidence of outrageous government misconduct. Myself, three other African-American executives and one white executive with no criminal records have sat in prison for nearly six years on sentences as long as 10 and 11 years. We can't believe President Obama granted clemency to Chelsea Manning who admitted releasing thousands of classified documents and hundreds of other drug offenders who received unfair sentences and forgot about us. We truly believe President Obama didn't forget but intentionally left us in prison to protect Colorado U.S. Attorney John Walsh who he appointed and was at the center of the misconduct in our case. We hope President Trump will correct the injustice Obama allowed for cronyism.

Mr. Bannon, please ask yourself, why would we as a small company hire two retired FBI supervisory special agents and the former head of Denver's Immigrations and Customs Enforcement office to work as subject matter experts while we were engaged in a criminal scheme? The agents sent an affidavit to the lead FBI agent three weeks before the raid stating we had a "viable product" and "appeared to be moving forward to acquire state and federal contracts." But the government still said IRP and CILC was a scam, which the federal appeals judge told the Washington Post, "defies reality."

The fact is, we spent years marketing CILC to law enforcement and built a solid relationship with DHS and NYPD over a year and didn't know the FBI was undermining our sales efforts by contacting them about this frivolous investigation. We enlisted the services of staffing companies to make good-faith

modifications to CILC at the request of DHS and NYPD for the ultimate goal of gaining their business. Unaware that the FBI and Colorado U.S. Attorneys were delaying and eroding our ability to close business with DHS and NYPD, we continued working with more staffing companies to finish the modifications to CILC. The government turned all our marketing, business development, sales efforts and software development work from temporary labor to gain a contract with DHS, NYPD and Philadelphia Police Department into a fruitless exercise.

Advocacy organization A Just Cause has compiled a very comprehensive but not exhaustive dossier of prosecutorial and judicial misconduct by the Obama Justice Department in our case. On November 1, 2017 four Democratic congressman sent a joint letter to the DOJ with the dossier requesting answers about the serious allegations of misconduct, but as of today, the DOJ has yet to respond. I know these congressmen may not share you or President Trump's political ideology but the fact they sent the letter knowing this horrible injustice occurred under the Obama administration shows justice should always "Trump" politics.

We know there is a lot of truth in what Trump says about corruption in the FBI and DOJ and that includes the pardon process where conflicted career prosecutors are an anathema to the clemency process and for those like us who were imprisoned as a result of prosecutorial and judicial misconduct. We and our families have lived through all of it and personally witnessed President Obama play politics and protect his friends at the expense of our liberty and immense pain to wives, children and other members of our family.

I sent a personal letter to President Trump, which can be viewed online at (<http://bit.ly/2wUlqTQ>). My letter is also part of the 26-page dossier compiled by A Just Cause which includes over 30 exhibits. The dossier is available online at (<http://bit.ly/2wBaCyJ>). More information is available on www.a-justcause.com and www.freetheirp6.org.

We, David A. Banks (BOP reg. no. 36319-013), Demetrius K. Harper (BOP reg. no. 36320-013), Clinton A. Stewart (BOP reg. no. 36322-013), David A. Zirpolo (BOP reg. no. 36323-013) and Kendrick Barnes (BOP reg. no. 36324-013) have been wrongly-imprisoned at the federal prison camp in Florence, Colorado for nearly six years for a crime we didn't commit and are seeking a pardon from President Trump. We were just entrepreneurs trying to help our country.

I really hope you hear our personal plea. I will be so grateful if you can help bring light to our story and pass our pardon request to President Trump in hopes of ending this horrible injustice and the desperate pain and suffering it has brought to us and our families.

If you need more information, contact A Just Cause to reach Lamont Banks at 719-439-5951 or lbanks@a-justcause.com or Lisa Stewart at 719-351-4321 or lstewart@a-justcause.com.

Sincerely,

David Banks