

Clinton Foundation hit with racketeering lawsuit

BY SARAH WESTWOOD | MAY 27, 2015 | 5:00 AM

Bill and Hillary Clinton and the Clinton Foundation have been hit with a racketeering lawsuit in Florida court.

The lawsuit, filed by Larry Klayman of Freedom Watch, includes a legal request to have the Florida judge seize the private server on which Hillary Clinton and her aides hosted their emails while she served as secretary of state.

Klayman has filed dozens of lawsuits against the Clintons and other prominent politicians.

The racketeering, influenced and corrupt organizations, or RICO, case alleges the former first couple and their family philanthropy traded political favors for donations or generous speaking fees for Bill Clinton while his wife was the nation's chief diplomat.

"Negotiations by email about influencing U.S. foreign policy or U.S. Government actions to benefit donors to ... The Clinton Foundation or sponsors of speaking engagements would not be captured on a U.S. Government email account because her emails would not be with a U.S. Government official," Klayman said in court documents obtained by the *Washington Examiner*.

"Hillary Clinton deleted 32,000 email messages from her email server that included her communications arranging, negotiating, and agreeing upon speaking engagements by Bill Clinton in return for large speaking fees and donations to The Clinton Foundation," the documents, dated May 20, said.

Klayman pushed the U.S. District Court for the Southern District of Florida to order a "neutral forensic expert ... to take custody and control of the private email server and reconstruct and preserve the official U.S. Government records relating to the conduct of U.S. foreign policy during Defendant Secretary Clinton's term as Secretary of State."

Hillary Clinton handed over 55,000 printed pages of emails to the State Department in November of last year and reportedly erased the remaining records off her private server.

Critics of Clinton's decision to forgo use of an official email account argue the presidential candidate could have simply withheld any incriminating messages from the batch she gave the State Department.

Her supporters have dubbed the quest for Clinton's State Department emails a partisan "witch hunt."

Klayman pointed to the litany of scandals involving missing records that have followed the Clintons for decades, including the fact that thousands of emails disappeared during Bill Clinton's administration after White House officials threatened internal computer experts who blew the whistle on the "suppression."

"It's a perfect RICO case, it fits completely," Klayman said of the lawsuit. "Our Congress doesn't even have the

guts to subpoena her documents. They'd rather get on Fox News. So we felt had to bring that case. Somebody's got to do it."

Klayman said a major reason for his lawsuit involves the fact that Cheryl Mills, then-chief of staff to Hillary Clinton, and the secretary of state herself "lied to the lower court" in by claiming there were no documents related to a pair of Freedom of Information Act requests he filed in 2012 while knowing those records actually did exist on the private server.

One FOIA, filed May 2012, pertained to allegations that Hillary Clinton issued waivers for preferred companies to do business with Iran despite strict congressional sanctions. The other probed a 2012 leak of classified information about Israel and Iran to the New York Times and was filed in June of that year.

Klayman said records on the Clintons' private server are "in imminent danger of being lost" in court documents and urged the court to intervene.

Clinton Foundation officials did not return a request for comment on the case.

The massive charity drew fire after a book by Peter Schweizer entitled *Clinton Cash* suggested foreign governments and companies with interests before the State Department donated to the foundation with the expectation that Hillary or Bill Clinton would ensure they received preferential treatment from the agency.