

# NEWS

From the County of San Bernardino  
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FOR IMMEDIATE RELEASE

January 27, 2009

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## Board hires top prosecutor to investigate Postmus

A former federal prosecutor best known for serving as the lead prosecutor in the 2006 trial of Enron figures Kenneth Lay and Jeffrey Skilling was unanimously chosen by the Board of Supervisors today to conduct an investigation of Assessor Bill Postmus and determine whether grounds exist for the board to remove Postmus from office under the terms of the County Charter.

The board today unanimously approved a contract with the Los Angeles law firm of Irell & Manella to have attorney John C. Hueston lead the investigation with the assistance of former federal Judge Layn Phillips and two other Irell & Manella staff members. The board today also created from county contingency monies a \$250,000 fund from which to pay the firm. It is not known how much the investigation will eventually cost the county.

The investigation will commence immediately. The board today directed Irell & Manella to return to the board on March 3 with a progress report on the investigation.

In addition to the Enron prosecution, which resulted in convictions of both Lay and Skilling, Hueston has successfully prosecuted public corruption cases targeting officials in the cities of Santa Ana, Carson, Anaheim, Southgate, and Inglewood, and he initiated the case against former Orange County Sheriff Mike Carona. According to his official biography, Hueston has never lost a trial.

"The county is fortunate to have a former federal prosecutor with such a vast amount of experience investigating public corruption leading this effort to determine whether the Board of Supervisors has grounds to seek the removal of Assessor Bill Postmus from office," Board of Supervisors Chairman Gary C. Ovitt said today. "The county is confident that Mr. Hueston will provide the board with the best information possible so that if the board proceeds with removal, the board's case will be solid and its decision will withstand any potential legal challenge."

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Hueston has received many honors in recent years. California Lawyer magazine named him a 2007 "California Attorney of the Year" and The Los Angeles Daily Journal named him as one of California's 100 most influential lawyers in 2008 and 2006. Chambers & Partners recognized Hueston as a leading litigation attorney for white-collar crime & government investigations in its 2008 Chambers USA Leading Lawyers for Business Guide, and he was selected for inclusion in The Best Lawyers in America for white-collar criminal defense in 2009.

The Board of Supervisors became concerned about Postmus when his office was searched by law enforcement investigators in April 2008. Two months later in its final report, the 2007-08 Grand Jury raised serious questions about the prospect of misuse of public resources and improper employment practices in the Assessor's office, which was almost immediately followed by the arrest of Postmus chief assistant Adam Aleman on several felony counts. Postmus declined requests by the Board of Supervisors to publicly address these issues and reports that Postmus was addicted to drugs.

The board's concern reached its peak when Postmus was arrested on January 15 after investigators allegedly found methamphetamine and drug paraphernalia in his home during the serving of several search warrants in various locations. This occurred nine days after Postmus publicly admitted that he had a drug addiction, but claimed he had conquered it.

"The board has made every effort to work with Postmus to provide the public with a complete accounting of the various concerns that have arisen concerning the Assessor and the manner in which he has managed his office," Chairman Ovitt said. "This investigation is the most reliable and fair method of determining whether and to what degree the public has been and continues to be affected by the Assessor's actions, and to determine if Postmus should be removed from office."