

111TH CONGRESS
2D SESSION

S. RES. 699

To authorize testimony and legal representation in *City of St. Paul v. Irene Victoria Andrews, Bruce Jerome Berry, John Joseph Braun, David Eugene Luce, and Elizabeth Ann McKenzie*

IN THE SENATE OF THE UNITED STATES

DECEMBER 9, 2010

Mr. REID (for himself and Mr. McCONNELL) submitted the following resolution; which was considered and agreed to

RESOLUTION

To authorize testimony and legal representation in *City of St. Paul v. Irene Victoria Andrews, Bruce Jerome Berry, John Joseph Braun, David Eugene Luce, and Elizabeth Ann McKenzie*

Whereas, in the case of *City of St. Paul v. Irene Victoria Andrews, Bruce Jerome Berry, John Joseph Braun, David Eugene Luce, and Elizabeth Ann McKenzie*, Case No. 10–071–634, pending in Ramsey County District Court in St. Paul, Minnesota, the prosecution has sought testimony from Shelly Schafer, an employee of Senator Al Franken;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to rep-

resent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

1 *Resolved*, that Shelly Schafer is authorized to testify
 2 in the case of *City of St. Paul v. Irene Victoria Andrews*,
 3 *Bruce Jerome Berry, John Joseph Braun, David Eugene*
 4 *Luce, and Elizabeth Ann McKenzie*, except concerning
 5 matters for which a privilege should be asserted.

6 SEC. 2. The Senate Legal Counsel is authorized to
 7 represent Shelly Schafer, and any other employee from
 8 whom evidence may be sought, in connection with the tes-
 9 timony authorized in section one of this resolution.

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