

December 1, 2006

To Whom It May Concern:

In late May or early June of 2006 I am not certain of the date, but do believe it was a Monday I came into work early as is my habit for over a decade of working in the Capitol, I usually am at my desk before 5:30 am.

Almost every day when arriving, I enter the copy room adjacent to our office and turn on the copy machine as they take a long time to warm up. On my way out of the room I noted a brown binder sitting near one of the microwave ovens.

Things are commonly left in copy rooms and as a courtesy staff who find such items attempt to find the person the item belonged to and return it to them. I opened the binder and it did not readily contain any identifier. I began to look through items in the binder to determine its owner. The binder contained a multi-paged document with that referred to the "Wisconsin State Senate Democratic Committee". I flipped through the document and realized that some of the plain contained items, which in my judgment implied that there might be some illegal coordination taking place between the SSDC and Independent advocacy groups. I then noted that the cover page of this copy of this document had the name Matt Swentkofske at the bottom and indicated that he was the director of the Wisconsin State Senate Democratic Committee.

I did not think it was at all appropriate for Mr. Swentkofske or anyone else to have had that document in a copy room in the State Capitol. Upon due consideration, I made an independent decision to make a single copy of the document to turn over to Senate Majority Leaders office. In my judgment at the time I thought they would know best how to handle this matter. I returned the original document to the binder closed it and left it in the same place I had found it. Later that morning I heard the outer hallway door to our office open and someone walked by our office. The door to our office was closed so I did not see the person and assumed it was the staff that delivers the morning newspapers. Who ever it was went into either Senator Miller's office the copy room or both, the next time I went into the copy room the binder was gone.

Later that morning I called the Majority Leaders office and asked to speak with Senator Schultz. The staff I spoke to indicated that the Senator was not in. I then asked if his Chief of Staff John Murray was in. I was informed that he would be in later. I asked that a message be given him asking that when he arrived, to stop into our office and speak with me. Sometime later that morning, Mr. Murray came into our office. I asked him to step into Senator Kapanke's office, which was vacant and closed the door behind me. I handed him a plain brown envelope, which contained the single copy of the document I copied. Upon handing John Murray the envelope I believe my exact words were "The envelope contains something I found in the copy room this morning. I felt that the Majority Leaders office would best know how to handle this and I do not want my name associated with this item at all.



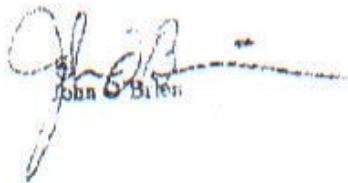
The reason I wished to remain anonymous was to avoid my actions being associated with my employer Senator Dan Kapanke. Senator Kapanke was not aware of the fact that it was I who copied the document and delivered it to John Murray until the early morning of December 1st, 2006 when he called me to verify what my response to him had been in October when he had asked if I had any knowledge of this matter. During the December 1st, 2006 phone conversation which was at about 730 a.m. I revealed to him all of the facts noted in this statement.

Senator Kapanke asked me that question at the La Crosse V.F.W. hall on October 20th, 2006, after he had addressed the Board of Veterans Affairs, which was meeting there. When the Senator finished his remarks and was leaving, because of an incident that occurred while I was driving into La Crosse, I raised the issue of my health condition and the fact that my doctors again had advised me to consider stopping work due to the medication I take daily to control pain. It is common knowledge in the Capitol that I had taken a lengthy medical leave of absence earlier for a serious medical condition and I continue to be treated for the after effects of the surgery that was necessary. Senator Kapanke was aware of this health condition when he hired me. After his remarks to the Veterans Affairs Board I asked Dan if he would allow me to take a medical leave of absence until a time when my health care providers and I might find a way to manage my pain without the numerous medications which had begun to adversely affect my attention span and ability to drive safely. Dan said he would do whatever was necessary to help with my longstanding health issues and agreed to give me a medical leave of absence. It was after that conversation that the Senator raised the issue being reported statewide that the Republicans had the Democrats Campaign plan for months and Senator Kapanke's office was a likely source of the copy. He specifically asked me if I knew anything about it. My response as I recall it was "Dan it's often better not to know the answers to some questions." Numerous others wishing to speak with the Senator interrupted us at that point. We have had no other discussion related to this matter until early today, December 1, 2006.

The media and blogs have reported that the document was found in a copy machine in the Capitol implying that whomever had left the binder was making copies. I do not know that for a fact and when I turned the documents over to John Murray I did not say or imply that. The only thing I can attest to is myself making one single copy of that document and privately turning it over to John Murray the Majority Leaders Chief of Staff.

Keith Gilkes in an interview with a Milwaukee Journal reporter stated implied that he had received the copy directly from the person who found it. I did not give the documents to Mr. Gilkes; I gave them to John Murray the Majority Leaders Chief of staff.

As far as I am aware, none of the staff in Senator Kapanke's office or Senator Dan Kapanke were aware of my involvement in this matter until the morning of December 1st, 2006


John E. Bilen

