

STATE OF MICHIGAN  
DEPARTMENT OF ATTORNEY GENERAL



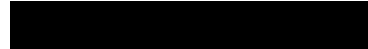
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DANA NESSEL  
ATTORNEY GENERAL

October 18, 2023

Gary Miles  
Editor and Publisher  
The Detroit News  
1600 W. Fort St.  
Detroit, MI 48226

**SENT VIA U.S. MAIL  
AND EMAIL TO**



To Whom It May Concern:

Yesterday, the Detroit News published an erroneous and unsubstantiated opinion piece by Charlie LeDuff. The piece falsely claims, among other things, that the Attorney General breached a “firewall.” In the interest of public information and education, the Department is responding to the false *factual* claims in the opinion piece.

First and foremost, the Attorney General did not breach an internal isolation wall. The isolation wall was established to prevent the Attorney General from influencing the decision-making during the investigation in observance of the potential for the appearance of impropriety stemming from the Attorney General and the subject’s former professional interactions. The isolation wall’s purpose is *not* to prevent any and all communications between the Attorney General and her staff related to the investigation. This is why the isolation wall explicitly states that such communications are permitted where they do not violate a rule of professional conduct.

None of the communications between Attorney General Nessel and her staff violated any rule of professional conduct. [Emails provided to LeDuff](#), author of the opinion piece, pursuant to a Freedom of Information Act (FOIA) request, show the Attorney General electronically received reports of an investigation *after* its conclusion. These emails correctly state the *file* was not yet closed, but this does not mean that the investigation was open or active. The Attorney General had no

influence on the Kornak investigation—she made no effort to influence it and took no action that had such an effect.

Of the investigation into Traci Kornak, no criminal wrongdoing was found by the Department's investigation. Two separate divisions investigated the matter, the Financial Crimes Division and the Health Care Fraud Division. By the time reports were delivered to the Attorney General, all investigative action was completed, and the investigation was concluded. The Attorney General did not pressure Department attorneys to close the investigation, which was already concluded by the time of the cited communications, nor to close the “file,” which had already been in the process of closure for weeks.

A critical component to the closing of the investigation was a lack of cooperating complainant. The complainant in this matter, quoted by the Detroit News, never returned a single phone call from Department investigators. The claims of the complainant were never substantiated by the investigation and the investigation was concluded long before December 5. For these reasons, the statement in the opinion piece that the Attorney General “subtly pressured her staff to close the investigation” is categorically false.

It is also false to say that the Attorney General pressured her staff to “provide Kornak with documents that would financially benefit her.” In reality, Kornak obtained the records via a FOIA request, the same mechanism used by LeDuff. Kornak was entitled to those documents as public records under the FOIA, and received them just as any other member of the public could have. The Attorney General did not directly provide any documents to Kornak.

LeDuff irresponsibly insinuates that the Department of Attorney General did not contact Joe LeBlanc, even though records provided to LeDuff showed that it was LeBlanc who never responded to repeated calls from Department investigators. LeDuff implies that LeBlanc was fired because he blew the whistle on Kornak, even though records provided to LeDuff showed that LeBlanc had submitted his resignation nearly a year prior, giving one year’s notice. And LeDuff twice implies that Kornak was accused of exploiting a vulnerable adult, when there were no such allegations, even from LeBlanc.

It is unfortunate the Department of Attorney General should have to refute so many falsehoods published under the masthead of The Detroit News. This Department, and the Attorney General herself, welcome scrutiny and efforts to hold officeholders to the highest standard of public service. The opinion piece published

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yesterday not only fails to achieve any public good or 'sunshine' on the work of government, but irresponsibly twists half-understood and fully fabricated notions of the Department to the detriment of public trust in their State government.

Your columnists are entitled to their opinions, but not their own facts. What was published last night does not represent an accurate portrayal of the matter at hand.

Sincerely,

A handwritten signature in black ink, appearing to read 'Linus Banghart-Linn', with a horizontal line extending to the right.

Linus Banghart-Linn  
Acting Chief Legal Counsel