

CASE TITLE: United States v. Madigan and McClain
CASE NUMBER: 22 CR 115
ACTIVITY: Telephone conversation between Michael McClain and
Michael Madigan
DATE: May 16, 2018
TIME: 10:20 a.m.
TARGET PHONE: (217) 257-6280
SESSION NUMBER: 2657

SPEAKERS: McCLAIN = Michael McClain
MADIGAN = Michael Madigan

(CLIP 1 BEGIN)

1 MADIGAN: Mike, I've got a few things to talk to you about. So-
2
3 McCLAIN: Yes, sir.
4
5 MADIGAN: Number one, we were, over dinner, we talked a little
6 bit about the gaming issue.
7
8 McCLAIN: Right.
9
10 MADIGAN: And I think you said to me that, um, Rita is thinking
11 that he's just gonna punt this thing until the fall.
12
13 McCLAIN: Mhmm.
14
15 MADIGAN: Um, I would put the question, do you think you can
16 get away with that? And I'm just thinking about the,
17 uh, pent up anxiety from people like Terry Link, Rita,
18 Mayfield, Jay Hoffman, and Fairmount Park, uh-
19
20 McCLAIN: Mhmm.
21
22 MADIGAN: Casino Queen.
23
24 McCLAIN: Mhmm.

(CLIP 1 END)

25
26
27

GOVERNMENT
EXHIBIT
73-T

(CLIP 2 BEGIN)

28 McCLAIN: But let's go back to your, let's go back to your
29 original question.

30

31 MADIGAN: Right.

32

33 McCLAIN: Um, so your original question uh, so you, you made
34 uh, uh, so, uh, you, you told me once Terry Link came
35 to you and said that "If you're, if you're not going
36 to do gaming will you just let me know and I'll, I'll
37 save my energy level."

38

39 MADIGAN: Yeah.

40

41 McCLAIN: Um, and uh, and that provoked you to like, wh, why
42 should I be the one who says no?

43

44 MADIGAN: Correct.

45

46 McCLAIN: So, so, uh, are you feeling the, that there's an
47 intensity that you want something to move faster than
48 that?

49

50 MADIGAN: Uh Mike, um, I, I suppose what I'm doing is going
51 back to the reason why I lifted the brick.

52

53 McCLAIN: Right.

54

55 MADIGAN: Right? And so, it's Link but here it's Mayfield-

56

57 McCLAIN: Mhm.

58

59 MADIGAN: -and then it's LaToya Green, Greenwood and-

60

61 McCLAIN: Right.

62

63 MADIGAN: -Hoffman, Katie Stuart, and I just came to the
64 judgment, "Well, you know, why should I uh be the
65 person responsible for nothing happening here, let
66 'em go and do what they're gonna do."

67

68 (CLIP 2 END)

69

(CLIP 3 BEGIN)

70 MADIGAN: Uh, here's number two.
71
72 McCLAIN: Yes sir.
73
74 MADIGAN: There's a request from Congressman Gutiérrez to see
75 me.
76
77 McCLAIN: Mhmm.
78
79 MADIGAN: And I suspect that may relate to Juan Ochoa.
80
81 McCLAIN: Okay.
82
83 MADIGAN: Do you know anything further on that?
84
85 McCLAIN: I'm seeing Anne tomorrow morning--
86
87 MADIGAN: Okay.
88
89 McCLAIN: --uh so, I, I, I'll, I'll know better uh tomorrow.
90
91 MADIGAN: Alright and, and, and, and Mike my recommendation is
92 uh go forward with Ochoa so if the only complaint
93 about Ochoa is that he suffers from bankruptcy twice
94 so did Harry Truman.
95
96 McCLAIN: Right.
97
98 MADIGAN: You know. And then are you gonna talk to her about
99 Dominguez?
100
101 McCLAIN: I did uh today I had a long conversation. I thought,
102 I thought I better move on that after--
103
104 MADIGAN: Mhmm.
105
106 McCLAIN: --our conversation Monday.
107
108 MADIGAN: Yeah, yeah.
109
110 McCLAIN: And so she's getting a lot of uh, pushback from her
111 senior staff too--
112
113 MADIGAN: Mhmm.
114
115 McCLAIN: --in fact she had one woman say, "You're really gonna
116 let this despicable man take your place?"
117
118 MADIGAN: Mhmm.
119
120 McCLAIN: And of course, Anne didn't have anything to say about
121 it. Uh, Chris Crane made that decision I'm sure at--
122
123 MADIGAN: Mhmm.

124
125 McCLAIN: -Bill Von Hoene's request.
126
127 MADIGAN: Mhmm.
128
129 McCLAIN: And um, so she's, she's trying to figure out um, how
130 to, how to handle that so she doesn't look like it's
131 sour grapes-
132
133 MADIGAN: Mhmm.
134
135 McCLAIN: -to her boss.
136
137 MADIGAN: Mhmm-
138
139 McCLAIN: And so, we are, I'm trying to re-, I'm, I, I just
140 arrived in Chicago. I'm trying to rearrange my
141 schedule tomorrow so that I can, we can put aside an
142 hour, hour and a half to try to figure out a plan-
143
144 MADIGAN: Mhmm.
145
146 McCLAIN: -uh for her to go to Chris Crane and, and say, "This
147 is gonna be a terrible thing for ComEd."
148
149 MADIGAN: Would part of the explanation be, the reputation of
150 Dominguez around here?
151
152 McCLAIN: Right. That he's uh not trustworthy, his word-
153
154 MADIGAN: Yeah-
155
156 McCLAIN: -is no good.
157
158 MADIGAN: Yeah.
159
160 McCLAIN: So yeah. Yep. Absolutely.
161
162 MADIGAN: He'd be a throwback to Petkus.
163
164 McCLAIN: Exactly. (Laughs.)
165
166 MADIGAN: Yeah.
167
168 McCLAIN: Yeah, yeah. A chronic, yeah just anything to get
169 through this thing. I mean I can't tell you how many
170 times uh Dave Ellis and him had conflicts.
171
172 MADIGAN: Mhmm, mhm, mhmm.
173
174 McCLAIN: And, and Heather does-has no respect for him.
175
176 MADIGAN: Mhmm, mhmm, mhmm.
177
178 McCLAIN: So, well John and I and Anne are gonna talk about,
179 talk about it tomorrow and what the game plan is to-

180 I've offered to go rogue and go see Chris Crane
181 myself.
182
183 MADIGAN: Mhmm, mhmm.
184
185 McCLAIN: Um, but Anne wants to think it through because she
186 thinks that Chris Crane won't believe that I'm just,
187 I'm just doing it on my own, that-
188
189 MADIGAN: Mhmm.
190
191 McCLAIN: -you know Chris Crane will think that Anne knew or
192 should've known that I was gonna do that so-
193
194 MADIGAN: Mhmm, mhmm.
195
196 McCLAIN: -so it's on the list this week.
197
198 MADIGAN: Alright good. Um you were working on some lobbyist
199 from a oil company's and-
200
201 McCLAIN: I did yeah.
202
203 MADIGAN: Do you know what came out of it?
204
205 McCLAIN: Um I asked um, Ed Peck and he said that, he said that
206 um "progress was made," but Ed says, "I don't know
207 what that means so let me, let me dig a little bit
208 deeper and find out what, what that means, 'progress
209 was made.'" "
210
211 MADIGAN: Okay, alright that's fine.
212
213
214 (CLIP 3 END)

(CLIP 4 BEGIN)

215 MADIGAN: Ah, now, number two, are you familiar with AT&T and
216 their Small Cell Bill and the interest—
217
218 McCLAIN: Yes.
219
220 MADIGAN: —of local governments to put some charges for putting
221 these, these, uh, facilities up on their, their poles
222 or whatever it is?
223
224 McCLAIN: Right.
225
226 MADIGAN: Same thing. It's Del Galdo and, um, AT&T has got Don
227 Finn from Local 134 as an opponent to the bill. Do
228 you know, is there anything that AT&T is trying to
229 get around here?
230
231 McCLAIN: Um, I don't think so, but let me inquire without them
232 knowing it.
233
234 MADIGAN: Okay. Mhmm.
235
236 McCLAIN: What's the number of that, uh, I meant the Small Cell
237 Bill that, uh, you, you directed me to help them pass
238 it last year, which I did do.
239
240 MADIGAN: Yeah, yeah, yeah—
241
242 McCLAIN: Ah—
243
244 MADIGAN: Yeah.
245
246 McCLAIN: What's the Del Galdo bill? Do you remember the number?
247
248 MADIGAN: I don't have that in front of me.
249
250 McCLAIN: Okay, okay.
251
252 MADIGAN: The bill number doesn't make that much difference.
253 You know, just the idea that, um, the, the language
254 in the bill, uh, had a, uh, uh, a grandfather clause
255 and a sunset.
256
257 McCLAIN: Mhmm.
258
259 MADIGAN: You know, and it said that if, if a local government
260 before a certain date had adopted an ordinance, then
261 it would be okay, but going forward there couldn't be
262 any more. And it's all about whether these governments
263 can put charges on these companies and put the money
264 into their general account.
265
266 McCLAIN: Right.
267
268 MADIGAN: That's what—

269
 270 McCLAIN: And—
 271
 272 MADIGAN: —it's all about.
 273
 274 McCLAIN: Yeah. Remember the DuPage County mayors—
 275
 276 MADIGAN: Yeah.
 277
 278 McCLAIN: —uh, those, that's why they were against the bill?
 279
 280 MADIGAN: Well, they, they want it. Yeah, you are correct. They
 281 were against the, uh, the underlying bill because—
 282
 283 McCLAIN: Right.
 284
 285 MADIGAN: —they wanted to put these charges on.
 286
 287 McCLAIN: Right.
 288
 289 MADIGAN: Right. Okay.
 290
 291 McCLAIN: And they didn't, and they didn't wanna be limited.
 292 They wanted to, if they ever wanted to increase it,
 293 they wanted the ability to increase it.
 294
 295 MADIGAN: Mhmm, mhmm, mhmm, mhmm.
 296
 297 McCLAIN: Yep.
 298
 299 MADIGAN: Yep. Okay. Um, Mike, there was a matter with, uh,
 300 some property in Chinatown.
 301
 302 McCLAIN: Yes.
 303
 304 MADIGAN: And do you know where that is?
 305
 306 McCLAIN: That's still moving along. Um, in fact, on my list
 307 today is to call Nancy Kimme to find out, uh, if she's
 308 ever got the legal description language, 'cause we've
 309 gotta get it to Justin.
 310
 311 MADIGAN: And then is, is Theresa Mah gonna be in the middle of
 312 it?
 313
 314 McCLAIN: That, that Theresa Mah is the one that's supposed to—
 315
 316 MADIGAN: Okay.
 317
 318 McCLAIN: —deliver it to Justin.
 319
 320 MADIGAN: Okay. Very good. That's what I've got.
 321
 322 (CLIP 4 END)
 323

(CLIP 5 BEGIN)

324 MADIGAN: And now, when you're with Anne you're talking about,
325 uh, Mike Zalewski?

326
327 McCLAIN: Mike Zalewski and Juan Ochoa—
328

329 MADIGAN: Ochoa.
330

331 McCLAIN: —and Joe Dominguez. Those are the three.
332

333 MADIGAN: Okay. Alright—
334

335 McCLAIN: Alright.
336

337 MADIGAN: —I think that's, that's all I got Mike.
338

339 McCLAIN: Alright sir.
340

341 MADIGAN: Thank you, take care.
342

343 McCLAIN: Thank you, bye.
344

345 (CLIP 5 END)