

CASE TITLE: United States v. McClain, et al.
CASE NUMBER: 20 CR 812
ACTIVITY: Telephone Conversation between Michael McClain and
Michael Madigan
DATE: November 8, 2018
TIME: 4:52 p.m.
TARGET PHONE: [REDACTED]
SESSION NUMBER: 15204

SPEAKERS: McCLAIN = Michael McClain
MADIGAN = Michael Madigan

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(NON-PERTINENT CONVERSATION)

1 McCLAIN: So, Michael, the reason why I called ya, is I want to
2 let ya know I have (unintelligible) Lou Lang and, um,
3 (unintelligible) long discussion (unintelligible) fight
4 it, he just doesn't like it, right?
5
6 MADIGAN: Mhm.
7
8 McCLAIN: At, at the end of the day he's, he said he'd let me know
9 by the end of this coming week.
10
11 MADIGAN: Mhm.
12
13 McCLAIN: You know, that he said to me, "I think you pretty much
14 know what my answer is."
15
16 MADIGAN: Mhm.
17
18 McCLAIN: "Um, let me just get my arms around it. Um, is it okay
19 that I quit at veto session but before, uh, th-, the
20 new session? So that way that my guy can get a little
21 bit of, or gal, can get a little bit of, um, seniority."
22
23 MADIGAN: Mhm.
24
25 McCLAIN: And I said, "I'm sure the Speaker's fine with that."
26
27 MADIGAN: Yes.
28
29 McCLAIN: I, uh, he said, um, "I'd kinda like to do the veto
30 session unless he wants me to leave earlier but I'd
31 kinda like to do the veto session." I said, "I don't
32 think he has a problem with that, I just-"
33
34 MADIGAN: Yeah.



35
36 McCLAIN: "-(unintelligible) in your best interest you just gotta
37 go."
38
39 MADIGAN: Mhm.
40
41 McCLAIN: Um, and, um, I said, "Now, Lou, I've not talked to the
42 Speaker. You were caucus chair two years ago when they
43 elected hi, uh, when the caucus elected him the, the
44 vote you did."
45
46 MADIGAN: Mhm.
47
48 McCLAIN: Uh, "and he and I've never talked about whether or not
49 he intends to name you for that or not name you for
50 that, so." Uh, and he said, "Well that doesn't make any
51 difference, uh, if he doesn't name me and names somebody
52 else, I don't think anybody will think anything of it."
53 And I said, "Well, okay, but i-, i-, i-, it could be a
54 little chatter, so I just wanna let ya know that, that,
55 um, that's, that's out there and I don't have any idea
56 what the Speaker's thinking about there, so."
57
58 MADIGAN: Mike, is this the, uh, person who would chair the, uh,
59 th-, the caucus to select the candidate for Speaker?
60
61 McCLAIN: Yes, sir. (Unintelligible) two years ago you had, um,
62 Tim and him sitting at the front table.
63
64 MADIGAN: Yeah, yeah.
65
66 McCLAIN: And he was the caucus chair, and-
67
68 MADIGAN: Yeah.
69
70 McCLAIN: Tim was like the parliamentarian, or-
71
72 MADIGAN: Yeah, right. Well, I have to give some thought as to
73 (unintelligible).
74
75 McCLAIN: Right. Eh, and as I, I disclosed to Lou, I've, I've
76 never had that discussion with you.
77
78 MADIGAN: Mhm.
79
80 McCLAIN: And so, um, I would doubt, i, I, I said to Lou, this,
81 just my opinion, "I would doubt if he chooses you after
82 he's removed you from leadership, and, then put you
83 back, I would think that he would move on to somebody
84 else, but I just wanna let you know-"

85
86 MADIGAN: Yeah.
87
88 McCLAIN: "-that he and I've never discussed it."
89
90 MADIGAN: Well, as we're talking, um, why not Greg Harris?
91
92 McCLAIN: Yeah. That's what I would do.
93
94 MADIGAN: Yeah.
95
96 McCLAIN: I mean if you're asking my opinion, that's what I'd
97 recommend.
98
99 MADIGAN: Mhm. Okay. Alright. So, you're pretty certain that he's
100 prepared to (unintelligible)-
101
102 McCLAIN: Oh yeah. Yeah. And he said he's talking to two people
103 about the dark side. I know one of em, Nancy Kimme, of
104 course, I don't know the other one, and I don't even
105 know if it's really true. He may have just said two,
106 um, and, um, then he asked, "Do you think the Speaker
107 would, make, would use me, I mean like, can I be Mike
108 McClain Two?"
109
110 MADIGAN: Mhm.
111
112 McCLAIN: And I said, "Look it, he'll use ya, I mean, th-, there
113 are, I mean, he, the Speaker doesn't use me for
114 everything. (Unintelligible) uses Will for certain
115 things, (unintelligible) for certain things, and-"
116
117 MADIGAN: Yeah, yeah, yeah.
118
119 McCLAIN: "So, um, so don't think that I'm exclusive, cause I'm
120 not."
121
122 MADIGAN: Mhm.
123
124 McCLAIN: "Um, but no, he'll, he'll ask you when he thinks it's
125 appropriate and you'd be helpful. He'll ask ya."
126
127 MADIGAN: Yeah, sure, sure, sure. Oh Mike, as you, as you talk to
128 this guy another consideration. I-, i-, if he could,
129 if he could provide his replacement as a man, that'd be
130 fine.
131
132 McCLAIN: Okay.
133
134 MADIGAN: So, um, we can't have him walking around saying that he

135 selected a man because that was my request, but-
136
137 McCLAIN: Right, right.
138
139 MADIGAN: We're over 50% already.
140
141 McCLAIN: Right. (Laughs.) Yeah, you guys are, uh, it's really
142 well, it's well done cause you get 'em, you get 'em
143 elected, but then you gotta manage 'em.
144
145 MADIGAN: Yeah, yeah.
146
147 McCLAIN: (Laughs.) Not so easy.
148
149 MADIGAN: Right. Okay. Very good.
150
151 McCLAIN: Uh, and he also asked if, if you would, if you would
152 help him get clients. And I said, "Well first of all, I
153 don't think he'll need any help," um, I said, "You'll
154 get clients. But, um, he, h, the Speaker doesn't really
155 call people and say 'please hire Mike McClain or please
156 hire, please hire Will Cousineau.' He, he's stayed away
157 from that for years, but, um, do I think that he'll um
158 alert me to keep an eye out for ya. Yeah, I think he'll
159 do that."
160
161 MADIGAN: Sure, sure. Yup, mhm. Okay, Mike.
162
163 McCLAIN: Okay, sir.
164
165 MADIGAN: Yep, thank you.
166
167 McCLAIN: Take care.
168
169 MADIGAN: Talk to ya, buh-bye.
170
171 McCLAIN: Bye.
172
173 (END OF CONVERSATION)