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**Ex-lobbyist refuses questioning
Ravi Mehta, who represented Oracle, invokes legal privileges, and his attorney
claims the panel is overstepping its boundaries.**

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By Dan Smith

Bee Deputy Capitol Bureau Chief

--Questioning a legislative committee's authority and asserting a variety of legal privileges, former Oracle Corp. lobbyist Ravi Mehta refused to testify Thursday about his efforts in the state's \$95 million no-bid software deal with the company.

The Joint Legislative Audit Committee had subpoenaed Mehta to appear after he declined to come voluntarily. With his refusal to answer questions Thursday, the committee's work is scheduled to end Monday - after more than 100 hours of testimony and 29 witnesses over a dozen hearings.

"I'm not sure how much more we can gather," said Assemblyman Dean Florez, D-Shafter, chairman of the committee. "The real interest is prosecution and criminal investigation. This is not the unit to do that. That is the attorney general."

The former chairman of the state's political watchdog agency under Gov. Pete Wilson, Mehta is seen as a central figure in the software contract probe.

Documents and testimony have shown that he personally delivered a \$25,000 campaign contribution from Oracle to a top aide of Gov. Gray Davis days after the software deal was signed, arranged a variety of meetings with top administration officials and lawmakers, hired a former state auditor to dispute the findings of a critical state audit on the deal and recommended the company target an array of campaign contributions to legislators involved with the contract.

Mehta had two contracts with Oracle - as a lobbyist and a sales team representative - allowing him to avoid some laws that apply to lobbying activities.

The company ended his contract May 31 - a year after state officials signed a contract the auditor has said could potentially cost \$41 million more than the state would otherwise spend on database software.

Mehta has remained silent since the breadth of his involvement became known in late April - refusing interviews with the committee's staff or the media. On Thursday, he reviewed a series of 160 questions

Florez's staff had drafted and refused to answer any of them.

"I want to assert all of my privileges and rights under the United States and California state constitutions, and all other applicable statutes and laws, including the right to freedom of association, my right to petition the government under the First Amendment ... a right to financial and other privacy under the California Constitution, my right under Section 9410(a) of the government code, and my right not to have this committee inquire into matters beyond its jurisdiction," Mehta told the committee.

Florez said he interpreted Mehta's response to mean he was asserting his Fifth Amendment right against self-incrimination, which in essence is contained in state law section 9410.

Mehta's attorney, **Matt Jacobs**, offered a different interpretation: "All of these privileges apply to some or all of any questions that might be asked," he said in an interview.

He criticized Florez for staging a "media extravaganza" by summoning Mehta to the committee after he informed the panel that Mehta would not testify. And he said the committee has gone beyond the boundaries of the state audit that defines its authority, in particular noting one question that sought Mehta's knowledge about other lobbyists' practice of recommending campaign contributions.

"It's a constitutional requirement that the questioning be pertinent to the inquiry at hand," he said. "How far away from the audit have we gotten here?"

The committee also withdrew a subpoena that sought documents from Mehta after lawyers at the attorney general's office said compelling the information could jeopardize their investigation by giving Mehta immunity. Nonetheless, Jacobs said the committee's probe was improperly acting as a "stalking horse" for the attorney general's office.

Nathan Barankin, a spokesman for Attorney General Bill Lockyer, disputed that.

"The Legislature's doing its job and gathering information," he said. "If Mr. Jacobs' concern is that information would be useful for a criminal investigation, then I don't know what to say to that."

Jacobs said he was "not concerned about any subsequent prosecution or proceeding."

The committee on Monday will hear from officials at Logicon Inc., a state computer consultant and Oracle reseller that the auditor said stood to make up to \$28.5 million from the deal.

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The Bee's Dan Smith can be reached at (916) 321-5249 or smith@sacbee.com.

Mehta's letter

"Mr. Chairman and members of the committee, I have cooperated with this committee in terms of documents, and I will continue cooperating with this committee. However, based on the advice of counsel, I want to assert all of my privileges and rights under the United States and California state constitutions, and all other applicable statutes and laws, including the right to freedom of association, my right to petition the government under the First Amendment of the United States Constitution, a right to financial and other privacy under the California Constitution, my right under Section 9410(a) of the government code, and my right not to have this committee inquire into matters beyond its jurisdiction."

- Ravi Mehta, former Oracle Corp. lobbyist, refusing to answer questions from the Joint Legislative Audit Committee