

From: Bruce Barket <bbarket@barketepstein.com>

To: "[REDACTED]" <[REDACTED]>, Aida Leisenring
<aleisenring@barketepstein.com>

Cc: "[REDACTED]" <[REDACTED]>

Subject: RE: Follow Up on July 23 Incident Sensitive Disclosure Materials

Date: Tue, 17 Dec 2019 16:59:44 +0000

Thanks for look into this for us.

As part of our work, we routinely examine physical evidence of any relevant event. The incident on the 22nd-23rd may be relevant to the penalty phase. We would like to examine the "rope" and be permitted to take measurements of it. Please let us know your position.

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From: [REDACTED] [mailto:[REDACTED]]
Sent: Tuesday, December 17, 2019 6:47 AM
To: Aida Leisenring
Cc: [REDACTED]; Bruce Barket
Subject: Re: Follow Up on July 23 Incident Sensitive Disclosure Materials

Aida,

To confirm, we are looking into whether video of the hallway, and videos and/or photos of the cell exist. We likely would make those available for review in the same manner as the report. We are also looking into whether the orange rope was preserved and if it was, we will let you know our position on whether it can be made available for inspection. As discussed briefly, since you have reviewed a photograph of the rope, we are not sure the basis for a physical inspection and would ask you to articulate one for our consideration.

[REDACTED]
Co-Chief, Narcotics Unit
212-637-1023

On Dec 16, 2019, at 16:52, Aida Leisenring <aleisenring@barketepstein.com> wrote:

Hello [REDACTED]

Thank you for taking the time to let us review sensitive disclosure materials in your office on Friday. We appreciate it. I just wanted to memorialize a few follow-up questions we had.

EFTA00016907

1. It is our understanding that there is video surveillance in the hallway in or near the tier that was preserved in reference to the July 23 incident. We would like to see a copy of it.
2. It is our understanding that there may be photographs or a video recording of cell 124 that would have been taken shortly after the incident. If so, we would like to see them.
3. If the orange rope was preserved, we would like to view it in person.

Jason, I understand that you were not aware of the availability of the above and that you would look into this additional discovery. I just wanted to memorialize our follow up inquiries for your records.

Lastly, if the items above are available, does your office take a position with respect to our request to view them? We just need to know so we can plan our next course of action.

See you in Court, and thank you again for your time.

Aida Ferrer Leisenring, Esq.
Barket, Epstein, Kearon, Aldea & LoTurco LLP
666 Old Country Road, Ste 700
Garden City, NY 11530
T ([REDACTED])
F ([REDACTED])

Please note that my emailed has changed to:

aleisenring@barketepstein.com

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