



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
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September 15, 2021

BY ELECTRONIC MAIL

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Re: *United States v. Ghislaine Maxwell*, 20 Cr. 330 (AJN)

Dear Counsel:

The Government expects to offer testimony from Computer Forensic Examiner Stephen [REDACTED] of the Federal Bureau of Investigation's ("FBI") Computer Analysis Response Team ("CART"). Although the Government believes that Examiner [REDACTED] testimony will not require admission through Rule 702 of the Federal Rules of Evidence, the Government nevertheless provides notice of Examiner [REDACTED] anticipated testimony in an abundance of caution. A copy of Examiner [REDACTED] curriculum vitae is being produced to you today bearing Bates number 3503-001.¹

The Government anticipates that, if called as a witness, Examiner [REDACTED] will testify about his extraction of devices seized pursuant to court-authorized search warrants; user information associated with certain of those devices; and documents and photographs extracted from certain

¹ Examiner [REDACTED] has previously testified regarding similar topics in federal court. As a courtesy, the Government notifies you that Examiner [REDACTED] has previously testified in federal court in *United States v. DiTomasso*, 14 Cr. 160 (SAS), *United States v. Hirst*, 15 Cr. 643 (PKC), *United States v. Stasiv*, 18 Cr. 259 (PKC), and *United States v. Kelly*, 19 Cr. 286 (AMD) (E.D.N.Y.).

of those devices. The Government further anticipates that Examiner [REDACTED] will also testify that some of the devices on which he performed extractions were clones of device extractions that had previously been performed by someone else.

The Government reserves the right to call additional expert witnesses and will promptly provide notice if the Government elects to do so.

Request for Reciprocal Discovery and Expert Notice

The Government reiterates its April 23, 2021 request for reciprocal notice under Rule 16(b)(1)(C) of the Federal Rules of Criminal Procedure regarding any expert witness that the defendant intends to rely upon, including a written summary of any testimony that the defendant intends to use under Rules 702, 703, or 705 of the Federal Rules of Evidence, as well as the witness's qualifications.

Additionally, the Government reiterates its August 5, 2020 request for reciprocal discovery under Fed. R. Crim. P. 16(b). Specifically, we request that you allow inspection and copying of: (1) any books, papers, documents, data, photographs, tangible objects, buildings or places, or copies or portions thereof, which are in the defendant's possession, custody or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial; and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, which are in the defendant's possession or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial or which were prepared by a witness whom the defendant intends to call at trial.

The Government also reiterates its August 5, 2020 request that the defendant disclose prior statements of witnesses she will call to testify, including expert witnesses. *See* Fed. R. Crim. P. 26.2; *United States v. Nobles*, 422 U.S. 225 (1975). The Government requests that such material be provided on the same basis upon which the Government agrees to supply the defendant with 3500 material relating to Government witnesses.

Very truly yours,

[REDACTED]
United States Attorney

by: s/ _____

Alicia Moe

[REDACTED]
Assistant United States Attorneys

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