

From: Bruce Barket <[REDACTED]>
To: "[REDACTED]" Aida Leisenring
<[REDACTED]>, Tony Ricco <[REDACTED]>, "BRUCE KOFFSKY"
<[REDACTED]>, "[REDACTED]" <[REDACTED]>
"michael@mbach" <[REDACTED]>, John Diaz <[REDACTED]>
Cc: [REDACTED]
Subject: RE: Tartaglione - Additional Information re Discovery Requests
Date: Mon, 13 Jan 2020 17:20:39 +0000

Thanks

Bruce A. Barket, Esq.
Barket Epstein Kearon Aldea & LoTurco, LLP
[REDACTED]
Garden City, NY 11530
[REDACTED]
www.barketepstein.com

This transmittal may be a confidential attorney client communication or may otherwise be privileged or confidential. If it is not clear that you are the intended recipient, you are hereby notified that you have received this transmittal in error; any review, dissemination, distribution or copying of this transmittal is strictly prohibited. If you suspect that you have received this communication in error, please notify us immediately by telephone or email and immediately delete this message and all its attachments

From: [REDACTED]
Sent: Monday, January 13, 2020 12:12 PM
To: Bruce Barket; Aida Leisenring; Tony Ricco; BRUCE KOFFSKY; [REDACTED]
michael@mbach; [REDACTED] John Diaz
Cc: [REDACTED]
Subject: RE: Tartaglione - Additional Information re Discovery Requests

I'm not sure why that's necessary, since they can see the whole report, but if that's what you want, we'll have them contact you first.

[REDACTED]

From: Bruce Barket <[REDACTED]>
Sent: Monday, January 13, 2020 12:04 PM
To: [REDACTED] Aida Leisenring <[REDACTED]> Tony Ricco
<[REDACTED]> BRUCE KOFFSKY <[REDACTED]>; [REDACTED]
michael@mbach; [REDACTED]; John Diaz <[REDACTED]>
Cc: [REDACTED]
Subject: RE: Tartaglione - Additional Information re Discovery Requests

Thanks. I think we would want to have a conversation with them before they obtain the reports.

Bruce A. Barket, Esq.
Barket Epstein Kearon Aldea & LoTurco, LLP
[REDACTED]

Garden City, NY 11530

www.barketepstein.com

This transmittal may be a confidential attorney client communication or may otherwise be privileged or confidential. If it is not clear that you are the intended recipient, you are hereby notified that you have received this transmittal in error; any review, dissemination, distribution or copying of this transmittal is strictly prohibited. If you suspect that you have received this communication in error, please notify us immediately by telephone or email and immediately delete this message and all its attachments

From: [REDACTED]
Sent: Monday, January 13, 2020 12:01 PM
To: Bruce Barket; Aida Leisenring; Tony Ricco; BRUCE KOFFSKY; [REDACTED]
michael@mbachl.com; John Diaz
Cc: [REDACTED]
Subject: RE: Tartaglione - Additional Information re Discovery Requests

Bruce,

Thanks for getting back to us. We will have a wall team obtain copies of the reports from MCC and produce them to the defense. The wall team will also review the reports and provide copies to [REDACTED] and me with any appropriate redactions. We will ask the wall reviewer to contact you to better understand what phone numbers are associated with possibly privileged communications.

[REDACTED]

From: Bruce Barket <[REDACTED]>
Sent: Monday, January 13, 2020 7:59 AM
To: [REDACTED]; Aida Leisenring <[REDACTED]>; Tony Ricco <[REDACTED]>; BRUCE KOFFSKY <[REDACTED]>; [REDACTED]
michael@mbachl.com; John Diaz <[REDACTED]>
Cc: [REDACTED]
Subject: RE: Tartaglione - Additional Information re Discovery Requests

[REDACTED]

I am sorry for the delayed response. If there are reports that currently exist, yes I would like to review them and obtain copies. On the other hand, if the Government wants to either review the reports or do a further forensic examination of the phone or sim card, we ask that the team assigned contact us to discuss protocols.

Thanks

Bruce A. Barket, Esq.
Barket Epstein Kearon Aldea & LoTurco, LLP
[REDACTED]
Garden City, NY 11530
[REDACTED]
www.barketepstein.com

This transmittal may be a confidential attorney client communication or may otherwise be privileged or confidential. If it is not clear that you are the intended recipient, you are hereby notified that you have received this transmittal in error; any review, dissemination,

distribution or copying of this transmittal is strictly prohibited. If you suspect that you have received this communication in error, please notify us immediately by telephone or email and immediately delete this message and all its attachments

From: [REDACTED]
Sent: Thursday, January 09, 2020 1:53 PM
To: Bruce Barket; Aida Leisenring; Tony Ricco; BRUCE KOFFSKY; [REDACTED];
michael@mbachl.com; John Diaz
Cc: [REDACTED]
Subject: RE: Tartaglione - Additional Information re Discovery Requests

Bruce,

- 1 – Are you in fact requesting a copy of the cellphone reports? If so, we will have a privilege team assigned and will ask them to reach out to you.
- 2 – We looked into whether any hand held videos were used to film inside the cell, and were told no on this specific issue.
- 3 – We do not believe a hearing is warranted regarding the video and expect to oppose your request to the Court.

[REDACTED]

From: Bruce Barket <[REDACTED]>
Sent: Thursday, January 9, 2020 12:36 PM
To: [REDACTED]; Aida Leisenring <[REDACTED]>; Tony Ricco <[REDACTED]>; BRUCE KOFFSKY <[REDACTED]>; [REDACTED];
michael@mbachl.com; John Diaz <[REDACTED]>
Cc: [REDACTED]
Subject: RE: Tartaglione - Additional Information re Discovery Requests

Thanks for the update. We will follow up with [REDACTED]

As for the cell phone, we had discussed agreeing or attempting to agree on the process for such a review. Can you have the taint team reach out to us before they begin their review?

It is our understanding that there were hand held videos used to film the inside of the cell on the night of the 23rd of July. I understand your email, but in light of the inconsistent accounts of the surveillance video can you please make further inquiries on this specific point?

Lastly, we are going to request a hearing on what happened to the surveillance video. Please let us know what your position on that request.

Bruce A. Barket, Esq.
Barket Epstein Kearon Aldea & LoTurco, LLP
[REDACTED]
Garden City, NY 11530
[REDACTED]
www.barketepstein.com

This transmittal may be a confidential attorney client communication or may otherwise be privileged or confidential. If it is not clear that you are the intended recipient, you are hereby notified that you have received this transmittal in error; any review, dissemination, distribution or copying of this transmittal is strictly prohibited. If you suspect that you have received this communication in error, please notify us immediately by telephone or email and immediately delete this message and all its attachments

From: [REDACTED]
Sent: Thursday, January 09, 2020 11:12 AM
To: Bruce Barket; Aida Leisenring; Tony Ricco; BRUCE KOFFSKY; [REDACTED]
michael@mbach; John Diaz
Cc: [REDACTED]
Subject: Tartaglione - Additional Information re Discovery Requests

All –

1 – We have been informed by MCC that if you would like to inspect the makeshift rope from the July 23, 2019 incident (a picture of which was contained in the report you reviewed at our office), you can arrange to do so by contacting [REDACTED] the new legal counsel at MCC. You will not be allowed to take photographs of the rope.

2 – We have been informed that in the course of its investigation into Mr. Tartaglione’s contraband cellphone, BOP created forensic reports of the phone and SIM card. We have not obtained or requested copies of these reports. If you would like to review the reports, please let us know. In that case, in light of earlier claims of privilege raised by Mr. Barket, we will ask BOP to provide the reports to a walled off team of AUSAs to review for privileged materials. That walled off team of AUSAs will coordinate producing the reports to you and will work with you to determine what, if any, portions of the report can be provided to the case AUSAs

3 – We have been informed by BOP that apart from the photographs contained in the materials you reviewed at our office regarding the July 23 incident, no other pictures or videos were taken from inside the Tartaglione/Epstein cell.

4 – We have received additional information from BOP regarding the video outside of the Tartaglione/Epstein cell, and we will be filing a letter with the Court shortly. As stated in the letter, the video that we have is available for review at our office at your convenience.

