

**From:** "[REDACTED] (USANYS)" <[REDACTED]>  
**To:** "[REDACTED]" <[REDACTED]>, [REDACTED]  
(USANYS)" <[REDACTED]>  
**Cc:** "[REDACTED]" <[REDACTED]>, "[REDACTED]" <[REDACTED]>  
<[REDACTED]>, "[REDACTED] (USANYS)" <[REDACTED]>

**Subject:** RE: Redactions to MILs

**Date:** Wed, 03 Nov 2021 19:56:03 +0000

**Attachments:** Jury\_Instructions\_Govt\_Proposed\_Defense\_Redlines\_2021.11.01\_v2\_AR\_(002)-  
\_TAM.docx

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Here are my comments on the rest. I'll come by to discuss the few items in a few.

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**From:** [REDACTED] <[REDACTED]>  
**Sent:** Wednesday, November 3, 2021 1:40 PM  
**To:** [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>  
**Cc:** [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED]  
(USANYS) <[REDACTED]>  
**Subject:** RE: Redactions to MILs

Thanks, [REDACTED]! Here's the rest of the RTC. I've also attached their proposed verdict form, though the only edits there seem to follow from their proposed edits to the instructions on Counts Two and Four. Wherever we land on that, I'll include a global objection (or accept the edits) to the verdict form.

You've reviewed everything before the aiding/abetting instruction (p. 45 of the PDF, p. 42 of the document), but it's worth scrolling through the first bit, because the defense added some things in highlighting when they sent over the rest.

Thanks,  
[REDACTED]

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**From:** [REDACTED] (USANYS) <[REDACTED]>  
**Sent:** Wednesday, November 3, 2021 10:00 AM  
**To:** [REDACTED] <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>  
**Cc:** [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED]  
(USANYS) <[REDACTED]>  
**Subject:** RE: Redactions to MILs

Really nice work on this. I've responded to a very few things in bubbles. There are only one or two points on which very brief discussion might be warranted.

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**From:** [REDACTED] <[REDACTED]>  
**Sent:** Wednesday, November 3, 2021 12:40 AM  
**To:** [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>  
**Cc:** [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED]  
(USANYS) <[REDACTED]>  
**Subject:** FW: Redactions to MILs

Hey Chiefs,

They sent us the rest of their redline, if you'd like to take a look.

I've also attached a partial set of responses. I'll get you the rest ASAP tomorrow, but we're tight on timing, so here's about half of it now. Two points about it:

1. I wasn't sure whether you wanted to see every change, so I've put comment bubbles even where I think we should just accept the changes.
2. In their new redline as of tonight, they are proposing to do each count in order. We won't have time to implement that by tomorrow, but we should think about whether to keep it as is or agree to their proposal.

This is due today (Wednesday), and the defense has significantly blow their deadline to get this to us. If it would help, we can seek an extension on that basis.

Last, as you can see, they insist on putting our victims' names in filings. We are thinking of proposing to the defense that they just note in a footnote their continued objection but stop using the names. Otherwise, we'd like to talk about going to the Court. Their practice is (1) burdensome to make us redact all their filings, and (2) an invitation for us to miss something and out a victim.

Thanks,

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**From:** Christian Everdell <[REDACTED]>

**Sent:** Wednesday, November 3, 2021 12:19 AM

**To:** [REDACTED] <[REDACTED]>

**Cc:** [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED]

(USANYS) <[REDACTED]>; [REDACTED] <[REDACTED]>; Jeff Pagliuca

<[REDACTED]>; Laura Menninger <[REDACTED]>; [REDACTED]

**Subject:** [EXTERNAL] RE: Redactions to MILs

[REDACTED] -

Attached is the full redline of the RTCs. I made some changes to the sections I already sent you. Those are highlighted in yellow. I will send you the verdict sheet later tonight.

Regarding the "Minor-Victim" terminology, I know the redactions are a pain, but it is still our position that there is no need to anonymize them and we object to calling them both "minors" and "victims." So I can't agree to that.

Thanks,

Chris

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**From:** [REDACTED] <[REDACTED]>

**Sent:** Tuesday, November 2, 2021 6:35 PM

**To:** Christian Everdell <[REDACTED]>

**Subject:** RE: Redactions to MILs

Hi Chris,

Just checking in on when you think you might have the rest of the RTC over to us.

Also, do you have any objection if we edit the places where your redline uses victim names to the "Minor Victim-X" terminology? Our understanding is that we have to file this on ECF, and we just want to avoid having to redact anything.

Thanks,

[REDACTED]

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**From:** Christian Everdell <[REDACTED]>  
**Sent:** Tuesday, November 2, 2021 3:43 PM  
**To:** [REDACTED] <[REDACTED]>  
**Subject:** [EXTERNAL] Re: Redactions to MILs

[REDACTED] —

Do you have a minute for a quick call about the jury instructions? Should take 5-10 mins.

Thanks,

Chris

Sent from my iPhone

On Nov 2, 2021, at 12:44 PM, [REDACTED] <[REDACTED]> wrote:

Counsel,

We're preparing a new version of the proposed redactions to the MILs that withdraw some of our proposals. Please let us know which if any of your proposed redactions you would like to withdraw, and whether you would like to see our version before we send it to the Court. In particular, please let us know by Thursday at 10 a.m. so we have some time before this is due to the Court.

Thanks,

[REDACTED]

[REDACTED]  
Assistant United States Attorney  
Southern District of New York  
1 Saint Andrews Plaza  
New York, New York 10007

[REDACTED]  
[REDACTED]