

From: "[REDACTED]" <[REDACTED]>
To: [REDACTED] <[REDACTED]>
Cc: "[REDACTED]" <[REDACTED]>
Subject: RE: discovery
Date: Fri, 01 Nov 2019 16:02:06 +0000

Looks good to me, thanks very much [REDACTED].

[REDACTED]
Assistant United States Attorney
Southern District of New York
1 St. Andrew's Plaza
New York, NY 10007
[REDACTED]
[REDACTED]

From: [REDACTED] <[REDACTED]>
Sent: Friday, November 1, 2019 11:42 AM
To: [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>
Subject: RE: discovery

Proposed email:

Good morning Bruce,

I wanted to lay out the access to digital discovery currently available to Mr. Tartaglione and my intention of following up with the staff who oversee those areas to ensure he is getting to review the material.

As discussed, inmates can have CD/DVD-Roms on their housing units to review on the discovery computers located therein. All other digital media is limited to review in the Education Department and Attorney Conference.

Mr. Tartaglione's regular unit library day is Wednesday from around noon until 3 pm. Inmates who need more digital discovery review time for non-disk media can request the time by writing to the Education Department. In Mr. Tartaglione's case, I asked Education staff to call him down and arrange a schedule for him to review discovery there Monday through Thursday. As discussed previously, he declined to review the material at the time they spoke. I will ask them to revisit the offer for him to review discovery in Education from 8 am until 3 pm, Monday through Thursday.

Mr. Tartaglione cannot review discovery in Education on Fridays as that time is dedicated for the female population to access the library, medical and mental health services, and other programs. Instead, I have arranged for him to review his discovery in the attorney conference room area Friday evenings between 5 pm and 8 pm, and Saturday and Sunday between 8 am and 3 pm.

Mr. Tartaglione can also have more disks sent in to him by your office, [REDACTED] office, and/or the USAO to review on the housing unit during times when access to the Education Department and/or the attorney conference room area are unavailable. Between all these available methods of discovery review, Mr. Targaglione is afforded more time than any other inmate in the facility and the maximum amount of access currently available consistent with institutional safety and security concerns. Please encourage him to utilize the time provided and to notify a lieutenant or unit team staff if he is having any difficulty getting to either Education or attorney conference. If you wish to discuss this matter further please let me know.

Thank you,

[REDACTED]
[REDACTED]
Supervisory Staff Attorney
CLC New York
Metropolitan Correctional Center
150 Park Row
New York, New York 10007
[REDACTED]
[REDACTED]

>>> "[REDACTED]" <[REDACTED]> 10/31/2019 4:35 PM >>>
9 is perfect, thank you so much. I'll give you a call then.

[REDACTED]
Assistant United States Attorney
Southern District of New York
1 St. Andrew's Plaza
New York, NY 10007
[REDACTED]
[REDACTED]

From: [REDACTED] <[REDACTED]>
Sent: Thursday, October 31, 2019 4:35 PM
To: [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>
Subject: Re: discovery

I can do 9 if that works. I have a teleconference at 11, a meeting at 1, and have to leave by 3 tomorrow.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "[REDACTED]" <[REDACTED]>
Date: 10/31/19 4:32 PM (GMT-05:00)
To: [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>
Subject: RE: discovery

>>> "[REDACTED]" 10/31/2019 16:32 >>>
I have a court conference right at 10. Any chance you could do a bit earlier or a bit later in the morning?

Thanks,

[REDACTED]

[REDACTED]
Assistant United States Attorney
Southern District of New York
1 St. Andrew's Plaza
New York, NY 10007
[REDACTED]
[REDACTED]

From: [REDACTED] <[REDACTED]>
Sent: Thursday, October 31, 2019 4:31 PM
To: [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>
Subject: Re: discovery

Can we chat at 10?

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "[REDACTED]" <[REDACTED]>
Date: 10/31/19 4:25 PM (GMT-05:00)
To: [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>
Subject: FW: discovery

>>> "[REDACTED]" 10/31/2019 16:25 >>>

Very sorry to bother you, but would you be available for a call tomorrow to discuss? We need to make sure Tartaglione has regular access to his discovery.

Thanks,
[REDACTED]

[REDACTED]
Assistant United States Attorney
Southern District of New York
1 St. Andrew's Plaza
New York, NY 10007
[REDACTED]
[REDACTED]

From: Bruce Barket <[REDACTED]>
Sent: Thursday, October 31, 2019 4:21 PM
To: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: FW: discovery

There is a problem here. This is just the latest exchange. I have been writing about this since before the 21st. You asked me to let you know if we ran into a roadblock and we have. My understanding is that Nick has not seen his discovery since the 18th, when it was taken from him.

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

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From: [REDACTED] [mailto:[REDACTED]]
Sent: Thursday, October 31, 2019 2:07 PM
To: Bruce Barket
Subject: Re: discovery

I am out of the office today. Arrangements were made for him to view his discovery in attorney conference last weekend. The same arrangement will be made for this weekend as well.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Bruce Barket <[REDACTED]>
Date: 10/31/19 1:34 PM (GMT-05:00)
To: [REDACTED] <[REDACTED]>
Subject: discovery

>>> "Bruce Barket" 10/31/2019 13:34 >>>

There seems to be a problem. I don't think Nick has been permitted to view his discovery since it was taken from him. Can we talk

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

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