

From: "[REDACTED] (USAFLS)" <[REDACTED]>

To: [REDACTED]
<[REDACTED]>

Subject: RE: Judge Marra's Order Granting the Victims' Motion to Compel Discovery Within 30 Days

Date: Tue, 25 Jun 2013 22:58:54 +0000

Importance: Normal

No. I only get what the two of you send me. I have not technically made an appearance in the case, at least insofar as CM/ECF is concerned, so I am not on any court/clerk service list.

From: [REDACTED] (USAFLS)

Sent: Tuesday, June 25, 2013 5:00 PM

To: [REDACTED]. (USAFLS); [REDACTED] (USAFLS)

Subject: FW: Judge Marra's Order Granting the Victims' Motion to Compel Discovery Within 30 Days

[REDACTED],

The order sent by Cassell is DE 190, issued on June 18, 2013. I have gone through my CM/ECF, and do not find any DE 190. DE 189 is the order denying our motion to dismiss, which was signed by the court on June 18, 2013, but entered on the docket on June 19, 2013. DE 191 is a notice of correction filed by the clerk, but I have no DE 190. Did either of you receive it? Thanks.

[REDACTED]

From: Paul Cassell [[mailto:\[REDACTED\]](mailto:[REDACTED])]

Sent: Monday, June 24, 2013 8:47 PM

To: [REDACTED] (USAFLS); [REDACTED]. (USAFLS)

Cc: [REDACTED] (USAFLS); Brad Edwards

Subject: RE: Judge Marra's Order Granting the Victims' Motion to Compel Discovery Within 30 Days

[tried to send this earlier, but it may not have gone out]

Dear [REDACTED],

We haven't seen the sealed order granting the Government's motion for stay either. (Have you?).

But, in any event, Judge Marra's order on June 19, 2013 (DE 190) specifically stated that "The petitioners' motion to compel discovery from the Government [DE 130] is GRANTED. Within THIRTY (30) DAYS from the date of entry of this order, the Government shall . . . [produce various discovery]." For your convenience, I attach a copy of DE 190 ordering the Government to produce discovery within 30 days.

So we are expecting to see you produce the bulk of our discovery on July 19, 2013, as specifically directed in DE 190 which granted our motion to compel.

Looking forward to moving the case towards a resolution.

Brad Edwards and Paul Cassell for Jane Doe #1 and Jane Doe #2

Paul G. Cassell

Ronald N. Boyce Presidential Professor of Criminal Law

S.J. Quinney College of Law at the University of Utah

[REDACTED]
[REDACTED]
[REDACTED] (phone)

EFTA00209802

██████████
██████████
You can access my publications on <http://ssrn.com/author=30160>

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From: ██████████ (USAFLS) [██████████]
Sent: Monday, June 24, 2013 5:24 PM
To: Paul Cassell; ██████████. (USAFLS)
Cc: ██████████ (USAFLS); ██████████
Subject: RE: One additional discovery request in Jane Doe #1 and Jane Doe #2 vs. U.S., No. 08-80736

Paul,

You have addressed your additional discovery request to the correct person. In the Court's order denying the government's motion to dismiss, the Court referenced "[t]he stay of discovery pending ruling on the government's motion to dismiss entered November 8, 2011 [DE #123] is LIFTED." I checked back into my CM/ECF notifications on Outlook, and did not find any for D.E. 123. I checked the docket sheet, which indicates a sealed order being entered on November 9, 2011, which is D.E. # 123.

I was under the impression the Court had not ruled on the government's motion to stay. On December 6, 2012, the petitioners filed their Motion for Prompt Ruling Denying Government's Motion to Stay (D.E. 179), in which the petitioners noted that, "[t]he government's motion was filed more than one year ago, yet (presumably because of a flurry of other motions) the Court has yet to rule on this particular motion." From this, it appears petitioners also believed the Court had not ruled on the government's motion for stay.

In any event, your e-mail states that "you look forward to receiving the discovery materials that the Court has ordered you to produce on the schedule that the Court has ordered them produced." What is your view as to the schedule that the Court has ordered the documents produced? Is that contained in D.E. 123? Thanks.

██████████

From: Paul Cassell [<mailto:██████████>]
Sent: Monday, June 24, 2013 4:07 PM
To: ██████████. (USAFLS); ██████████ (USAFLS)
Cc: ██████████ (USAFLS); ██████████
Subject: RE: One additional discovery request in Jane Doe #1 and Jane Doe #2 vs. U.S., No. 08-80736

Dear ██████████

I am writing to confirm that you remain the person that we should be contacted with regard to the above-captioned case. If not, please advise as to who the appropriate contact person is (and please forward this message to that person).

In light of the Court lifting the stay on discovery, we are writing send one additional discovery request. Of course, this request is in ADDITION to the requests previously sent. It should not be viewed as replacing the other discovery requests or extending the deadline for producing the materials covered by the other discovery requests.

We look forward to receiving the discovery materials that the Court has ordered you to produce on the schedule that the Court has ordered them produced.

Please let us know if you have any questions.

Paul Cassell and Brad Edwards for Jane Doe #1 and Jane Doe #2

Paul G. Cassell
Ronald N. Boyce Presidential Professor of Criminal Law
S.J. Quinney College of Law at the University of Utah

[REDACTED]
Voice: [REDACTED] [REDACTED] Email: [REDACTED]

<http://www.law.utah.edu/profiles/default.asp?PersonID=57&name=Cassell,Paul>

You can access my publications on <http://ssrn.com/author=30160>

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