

From: "[REDACTED]. (USAFLS)" </O=USA/OU=FLS/CN=RECIPIENTS/CN=AVILLAFANA>
To: "[REDACTED] (USAFLS)" <[REDACTED]>
Cc: "[REDACTED] (USAFLS)" <[REDACTED]>

Subject: RE: Proposed briefing schedule for Jane Doe case?

Date: Fri, 08 Jul 2016 21:22:59 +0000

Importance: Normal

Thank you. I have a call in to Brad about the briefing schedule issue and as soon as I speak to him I will forward the letter.

[REDACTED]
Assistant U.S. Attorney
Southern District of Florida
[REDACTED]
[REDACTED]

From: [REDACTED] (USAFLS)
Sent: Friday, July 08, 2016 5:17 PM
To: [REDACTED]. (USAFLS)
Cc: [REDACTED] (USAFLS)
Subject: RE: Proposed briefing schedule for Jane Doe case?

[REDACTED], you have a green light to forward it to Brad.

From: [REDACTED]. (USAFLS)
Sent: Friday, July 08, 2016 4:35 PM
To: [REDACTED] (USAFLS) <[REDACTED]>; [REDACTED] (USAFLS) <[REDACTED]>
Subject: RE: Proposed briefing schedule for Jane Doe case?

Thank you, [REDACTED]. I am hoping that it will be successful.

[REDACTED]
Assistant U.S. Attorney
Southern District of Florida
[REDACTED]
[REDACTED]

From: [REDACTED] (USAFLS)
Sent: Friday, July 08, 2016 4:20 PM
To: [REDACTED]. (USAFLS); [REDACTED] (USAFLS)
Subject: RE: Proposed briefing schedule for Jane Doe case?

Here's a revised version. I'm waiting for final confirmation, but I think it's one we will be able to send out unless either of you think we need to further revise it. Let me know. - [REDACTED]

From: [REDACTED]. (USAFLS)
Sent: Friday, July 08, 2016 1:21 PM
To: [REDACTED] (USAFLS) <[REDACTED]>; [REDACTED] (USAFLS) <[REDACTED]>
Subject: RE: Proposed briefing schedule for Jane Doe case?

Hi [REDACTED] – Take a look at the attached – they specifically requested the removal of the “As you know” sentence. I know you used the language at the end of the sentence below to mirror the statute, but it seems awkward, so I revised, but I am not wedded to it.

[REDACTED]
Assistant U.S. Attorney
Southern District of Florida
[REDACTED]
[REDACTED]

From: [REDACTED] (USAFLS)
Sent: Friday, July 08, 2016 11:55 AM
To: [REDACTED]. (USAFLS); [REDACTED] (USAFLS)
Subject: RE: Proposed briefing schedule for Jane Doe case?

What do you think of adding the following sentence at the end of the first paragraph of the letter?

As I know you have been made aware, the Office had legal and factual reasons for the manner in which it communicated information about the NPA, but regardless of the legal defensibility of those actions under the CVRA, we regret that the Office did not inform you about the NPA before it was signed and that the Office acted in any manner that made you feel you were not being treated with fairness and with respect.

Do you think it will address what CW said she wanted when we spoke to her?

From: [REDACTED]. (USAFLS)
Sent: Friday, July 08, 2016 10:09 AM
To: [REDACTED] (USAFLS) <[REDACTED]>
Cc: [REDACTED] (USAFLS) <[REDACTED]>
Subject: RE: Proposed briefing schedule for Jane Doe case?

The issue is trying to avoid Judge Marra setting his own schedule with a due date 21 days from now.

Why don't you send me a revised and approved letter that I can send to Brad so we can try to resolve this?

[REDACTED]
Assistant U.S. Attorney
Southern District of Florida
[REDACTED]
[REDACTED]

From: [REDACTED] (USAFLS)
Sent: Thursday, July 07, 2016 7:05 PM
To: [REDACTED]. (USAFLS); [REDACTED] (USAFLS)
Subject: RE: Proposed briefing schedule for Jane Doe case?

I think this is not an unreasonable schedule, but I think it will be tight given summer travel schedules, what I recall of their motions and discovery requests, and the other unrelated issues we are all dealing with.

Have they actually asked us to set a new briefing schedule? It would be nice to see if we could at least make one more proposal concerning the main pending settlement issue (i.e., the letter) and hear their response before proceeding with briefing. I suspect that, because of travel issues (I seem to recall that Brad is traveling this week and next), it will take some time to address any revised proposal concerning the letter. Personally, I have always thought it a bad idea to be working on settlement negotiations and briefing at the same time, and I think any settlement possibility is almost sure to evaporate if we file any substantive response.

From: [REDACTED]. (USAFLS)
Sent: Thursday, July 07, 2016 5:50 PM
To: [REDACTED] (USAFLS) <[REDACTED]>
Cc: [REDACTED] (USAFLS) <[REDACTED]>
Subject: RE: Proposed briefing schedule for Jane Doe case?

Given everyone's travel schedules, how does 9/30 for us, 10/21 for them, and 11/4 for the reply sound?

And I will ask about the discovery responses. To the extent that we have to respond, does 9/30 work for that, too?

[REDACTED]
Assistant U.S. Attorney
Southern District of Florida

From: [REDACTED] (USAFLS)
Sent: Thursday, July 07, 2016 5:43 PM
To: [REDACTED]. (USAFLS); [REDACTED] (USAFLS)
Subject: RE: Proposed briefing schedule for Jane Doe case?

[REDACTED],

This is the last amended briefing schedule I have, D.E. 356. On February 10, 2016, petitioners filed their motion for summary judgment (D.E. 361). Under the scheduling order, the government had 43 days (March 24, 2016) to file its response to the motion for summary judgment, as well as the government's cross-motion for summary judgment.

Petitioners were allowed 19 days (April 12, 2016) to file their reply to the government's response to petitioners' motion for summary judgment, and their response to the government's cross motion for summary judgment.

The government was allowed 14 days (April 26, 2016), to file their reply to petitioners' response to the government's motion for summary judgment.

Also, we need to establish a new due date for the government's responses to the supplemental discovery requests propounded on December 2, 2015, and December 29, 2015. Some of these may no longer be applicable since the government decided not to assert the Wellcare argument. I am fairly certain Cassell insisted some of the requests for production and for admissions were still relevant.

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<< File: 356_order_amend_sched.pdf >>

From: ■■■■. (USAFLS)

Sent: Thursday, July 07, 2016 3:31 PM

To: ■■■■ (USAFLS) <■■■■>; ■■■■ (USAFLS) <■■■■>

Subject: Proposed briefing schedule for Jane Doe case?

Hi ■■■■ and ■■■■ – Can you send me your proposed dates for the briefing schedule so I can send them to Brad?
I will be out all next week. And from August 6-11.

Thanks.

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Assistant U.S. Attorney
Southern District of Florida
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