

[REDACTED]
To: "Paul Cassell" <cassellp@law.utah.edu>

Cc: "Brad Edwards (brad@pathtojustice.com)" <brad@pathtojustice.com>

Subject: RE: Briefing Schedule

Date: Mon, 22 Aug 2016 13:45:23 +0000

Importance: Normal

Hi Paul – Great. That would make our reply due December 12th.

I think your proposal makes sense. The Office's concern is that, once the government files its response and cross-motion, the plaintiffs will not be in a conciliatory frame of mind. While we attorneys are used to being the subject of adversarial filings, putting that behind us, and still dealing with one another, it is harder for lay-people. So, if there is a path to settlement, we should do everything in our power to settle it now. I have no desire to be in an adversarial posture with the plaintiffs.

Let me know if I can be of any assistance. I will draft up a motion/notice for the Court and share with you.

[REDACTED]

From: Paul Cassell [mailto:cassellp@law.utah.edu]

Sent: Saturday, August 20, 2016 4:45 PM

[REDACTED]
Cc: Brad Edwards <brad@pathtojustice.com>

Subject: RE: Briefing Schedule

[REDACTED]
October 17 works well from us. (If you need more time, we would agree to an extension.)

We would like November 21 for the reply.

I wonder if we should inform the Court that the parties have tried to reach a resolution, are continuing to discuss a resolution, but now believe that the case should move forward with briefing etc.

Paul

Paul G. Cassell

Ronald N. Boyce Presidential Professor of Criminal Law
[REDACTED]

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If you are not the intended recipient, you may not use, disseminate, distribute or copy this communication. If you have received this message in error, please immediately notify the sender by reply electronic mail and delete the original message. Professor Cassell is admitted to the Utah State Bar, but not the bars of other states. Thank you.

EFTA00211579



Sent: Friday, August 19, 2016 1:37 PM

To: Paul Cassell

Subject: Briefing Schedule

Hi Paul – I still am not back in the office but I did hear back from Ed about a proposal. I have been hoping that JD#1 might change her mind and agree to settle in light of our further revised letter, so I have not even taken a stab at a response yet. Would it be too much to ask for October 17th? That is 8 weeks from Monday, which is when I hope to be back in the office. You can then propose a reply date (which would include your response to our cross-motion), and we would get 3 weeks thereafter for the reply to your response. I think that would cover all the possible iterations.

Thank you very much and have a wonderful weekend.

