

PRIVILEGED & CONFIDENTIAL
ATTORNEY WORK PRODUCT

MEMORANDUM

DATE: June 13, 2007
FROM: FAF
TO: GBL
SUBJECT: ██████████

-
- Again, this is not about bashing the victims. That being said, in evaluating whether this is an appropriate (“righteous”) case to be brought federally it is important to evaluate your witnesses, their allegations, and the plausibility/believability of those allegations. In other words are these the type of “victims”/witnesses the Office wants to step out on a limb for and try and stretch federal criminal statutes beyond their intended purpose.
 - We have gone into detail with you on many occasions concerning the specific credibility problems with which you are faced when it comes to ██████████. We suspect you do not want us to rehash those issues, although if you do we would be more than willing to.
 - Drug and alcohol use – bragged about it on her ██████████
 - Arrest for marijuana possession
 - Thefts from ██████████ just days after the disposition of her marijuana case (and presumably during the period between her arrest and disposition)
 - Lied ██████████ about ██████████ thefts
 - Lied to get her job at ██████████
 - Was 18 at the time of the ██████████ incident – demonstrative proof
 - That being said, there are other considerations that must be taken into account with respect to Ms. ██████████:
 - First, we do not know what your dealings, if any, have been with Ms. ██████████, but if they were anything like Det. Recarey’s dealings, you can see that she was in no way “traumatized” by the alleged incidents in question

- All one must do is listen to her recorded interview with Det. Recarey. She was cavalier at best, joking about events, and at times laughing. Her biggest concern seemed to be whether she was going to have to reveal what she did with the money she made.
 - Second, she never reported the alleged “rape” incident – which we submit was a complete fabrication, and utterly inconsistent with what any other witness has stated
 - Third, in fact she only “came forward” with any allegations at all about any conduct because of her marijuana arrest and likely only because she knew the investigation had already been ongoing
 - Fourth, her conduct – by her own admission – was voluntary
 - Fifth, again by her own admission, her conduct was knowing as she was well informed of what would occur during her visits and knew if she wasn’t comfortable with something she could say no
 - Sixth, she returned numerous times (in her own words – 100s of times), even (by her own admission) after the purported “rape” incident
 - Seventh, she brought others, who also returned numerous times
 - Eighth, she even seems to brag about the “work” she is doing and the money she is making on her [REDACTED] (caution: when she says she quit [REDACTED] she says its ok because she has another job that will result in her making more than her bosses at [REDACTED] – assuming she meant JE, but not 100% sure).
 - Ninth, despite having been subpoenaed to the grand jury by the state she never even showed to testify against JE
 - Tenth, her “timeline” is speculative at best and conveniently concocted to allege misconduct only prior to her 18th birthday despite the fact she claims to have continued to visit JE’s residence well after her 18th birthday
- When all is said and done she is simply not the type of “victim”/witness that a federal case should be premised upon