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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,	CASE NUMBER
PLAINTIFF v. Scott Quinn Berkett DEFENDANT.	21-cr-292-MCS APPLICATION FOR REVIEW/RECONSIDERATION OF ORDER SETTING CONDITIONS OF RELEASE/DETENTION (18 U.S.C. §3142) AND REQUEST FOR HEARING

Application is made by plaintiff defendant Scott Berkett
that a hearing be held to review /reconsider the decision of

United States District Judge _____ by order dated: _____

Magistrate Judge Jacqueline Chooljian by order dated: 6/7/2021

- denying release and imposing detention under subsection (d) or (e) of Title 18 U.S.C. §3142; or
- ordering release upon certain conditions, or
- denying detention.

This application is made pre-sentence post-sentence based on the following facts not previously considered by said judicial officer or changed circumstances as follows:

Information in the accompanying letters to the Court regarding Scott Berkett's background and character, documenting his law-abiding and non-violent history and nature, and strong community ties, and confirming the availability of (1) resources to secure a reasonable bond, and (2) his family's home for purposes of home confinement.

Relief sought (*be specific*):

Release subject to (1) home confinement, except with the advance approval of the Pretrial Services Agency, for purposes of travel to/from medical appointments, or meetings with defense counsel and/or experts; and (2) reasonable conditions of home confinement including non-availability of Internet-accessible devices for use by Scott Berkett.

Counsel for the defendant and plaintiff United States Government consulted on 8/2/2021
and opposing counsel declines to stipulate to an order providing the relief sought.

Telephonic notice given to AUSA Defendant's Counsel PSA Interpreter USM Probation
on 8/2/2021.

An interpreter is required not required. Language _____
Defendant is in custody not in custody.

8/9/21
Date


Moving Party

EXHIBITS

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1. Jeff and Marybeth Berkett, Parents
2. Adam Berkett, Brother
3. Roy and Cheryl Jackson, Aunt and Uncle
4. Barry and Martha Berkett, Aunt and Uncle
5. Eric Curcio, M.D., Physician
6. Grant Hester, Lynchpin IT, Employer
7. AnnaBella Thomason, Friend
8. Sheldon and Denise Kravitz, Aunt and Uncle
9. Brian Berkett, Uncle
10. Jason Kravitz, Cousin

Jeff & Marybeth Berkett

August 2, 2021

To: The Hon. United States District Magistrate Judge

Re: Scott Berkett's Bail Motion

Your Honor,

We are the natural parents of Scott Berkett, Jeff and Marybeth Berkett. Scott has lived with us since his birth, except for three semesters when he was a student at Washington State University. Thank you for considering releasing Scott on bond.

We know Scott is not a threat to the community or any other person, and are confident he will live up to all terms and conditions of release. We hope some understanding of the Scott that we have known throughout his life will show you he is worthy of being released while the case against him goes forward.

Please consider home detention for Scott, in our home in Beverly Hills. This is the home we own, and where we have lived in for 25 years. It is the only home Scott has known since birth. Jeff's side of our family has lived in Beverly Hills for four generations, and there are new generations younger than Scott in Beverly Hills and Los Angeles. Marybeth and her family have lived in the San Fernando Valley since 1958. All uncles and aunts of Scott on both sides of the family live in the Los Angeles area. We all celebrate many holidays and special family occasions together. To say that Scott has strong family and community ties to this area would be an understatement.

We recognize that Scott's release on home confinement would include electronic monitoring. We also are agreeable to all other reasonable measures of release ordered by the Court. We will fully cooperate with the Pretrial Services Agency to make sure that Scott cannot access the Internet, an issue the Court referenced at prior proceedings. We are confident this can be done in our home, including by password-protecting and/or removing Internet-accessible devices from our home, or even by suspending Internet service to our home. We are more than willing to do these things to satisfy the Court and to have our son home with us. In light of the Court's prior

statements, we hope this would sufficiently address any conceivable concerns that Scott could be a "danger to the community" because of Internet access.

When it comes to "danger to the community," Scott poses no danger. He has no history whatsoever of being violent. He has never been engaged in any fighting. There are no firearms in our home. Scott has never had an alcohol or drug problem. Indeed, Scott has always been concerned about the safety of others.

One example of Scott's concern for others' safety is when he was a student at Washington State University. He was friends with a group that maintained an unofficial safety escort patrol for female students walking alone late at night. His group would not drink, and would stand by near the fraternities so they (as a group) could walk female students safely to their homes if they were walking alone, late at night, and wanted to be escorted, after being asked if they needed assistance to get home. They also kept an eye out for potential stalkers, and we heard about at least two students who needed assistance. The group never dated any of the students they escorted - they were only out to help protect them. Scott was very proud to be a part of that group. One of Scott's friends in the group even ended up joining campus security.

Scott is very rule-oriented and respectful of law. He has no criminal record - he has never even received a traffic ticket! Indeed, he reminds us to always use turn signals or to put on our seat belt if we forget, and has even chastised his father on occasion for distracted driving. Since the pandemic, he has made sure he and his father wear a mask when out of our home, even when others were not around. He is also very honest.

Over the years we have listened to parents complain about their kids twisting the truth. We have been fortunate that with his code of behavior we didn't experience that. A good example - of many - illustrating his honesty is when he had an opportunity to get the vaccine early. When he arrived at the health facility, they asked him if he was a first responder or healthcare worker. He told them the truth ("no"), understanding this meant he wouldn't get the shot and would have to wait another few months to be vaccinated. He told us that he knew being truthful would delay him being able to gather with friends until he would be vaccinated in a few months. That's who Scott is. He has volunteered with Helping Hand, a community outreach program in Santa Monica, and The Beverly Hills Gardens, overseeing and building of Tomato Cages.

Scott has many close ties to the community, including the immediate family support of us as parents, uncles, aunts, cousins and friends, all of whom are in the Los Angeles area. At the time of his arrest, he was employed by a local company where he had received good reviews and praises by customers of the company. Scott has deep family, social, faith, employment and financial connections to the community.

Scott earned his Eagle Scout with a local troop, and plans to someday work with that troop as an adult leader. Since age five, he was active in park league sports. This included junior high school football and basketball and in high school, where he played football until receiving a severe concussion. He then started theater, which he loved. His older brother, Adam, lives in Redmond, Washington and is a homeowner there. He and Scott are close, and communicate on a regular basis. Scott is very considerate of us and other family members, ranging from regularly brushing the pool, to helping install holiday lights, to any number of other tasks he's asked to do. At a moment's notice, he will volunteer to run errands or help others. Our family has been a member of Sinai Temple since 1925 and count five generations as members.

With respect to financial bail, we are agreeable to posting a reasonable cash bond and/or pledging the equity in our home of 25 years, which would be in excess of \$1,000,000. Scott also has approximately \$60,000 of his personal funds that may be posted as bail. We understand that that the bail and/or property could be forfeited if Scott were to violate any conditions of his release on bond.

During the pandemic, with three of us at home, we have enjoyed a close relationship with Scott - we regularly played games, and he expanded his range of cooking. He constantly expresses concern for how we are doing. He also has a cat, Iris, which he is very attached to. Scott is always asking if she is safe and happy. Scott can't wait to be reunited with us, and we with him.

We know that Scott is not a danger to anyone, and that he will live up to all terms of release. Thank you for considering our input.

Sincerely,

Jeffrey Berkett

Marybeth Berkett

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Your Honor,

My name is Adam Berkett, and I thank you for taking the time to read my letter.

I am writing to you on behalf of my younger and only brother, Scott Quinn Berkett. I am a 32-year-old software engineer living up in Washington State. Prior to my moving up here four years ago, and when I went to college at USC a mere 20 minutes from the house he and I grew up in together, I have always lived at the home he lives in now.

I am writing to express my sincere beliefs that Scott will abide by all instructions given to him by the Court, that he will appear before the Court on his scheduled date, and that he will not be a danger to the community.

I have known Scott all his life. We grew up together, always supportive of one another, despite our age difference. We have a close relationship. We would play trading card games like "Magic: The Gathering" and "Yu-Gi-Oh" together, as well as video games across the years, from couch co-op on our home consoles like the Xbox and Nintendo systems, to PC gaming even when we didn't live together.

We never had animosity towards one another. We wouldn't even roughhouse. He would go to all my high school sports games, and I would go to his games and every night of every one of his high school theatrical performances. We would cheer each other through victories, shouting from the stands, and share in the sadness after hard losses. I still have every program from his shows.

From the age of six, he raised a cat, Speedy, taking on more responsibility for her care than I had seen of his peers and their own pets, and taking on more effort as he aged and became more capable. When she passed, he began raising a second cat, learning from the lessons of what he learned with Speedy.

Even when I was away at college (not very far away), I would tutor Scott on his homework where I could. He wanted to get into software development, just like I did, always looking up to me as a role model for what he wanted to become. During those years, we would see each other several times a month, and of course for all holidays and extended family events. Speaking of holidays, we would often race each other to be the first awake on Christmas mornings, excited to open presents. But we would also play a game of chicken on who would rouse our parents first, not wanting to be the first one to shake them excitedly awake.

For vacations, we would explore together even when our parents were off enjoying other sites. Whether it was by the pools and beaches in Hawaii or wandering the streets of Paris together to find niche spots to enjoy, like a corner ice cream store that we would eventually later drag our parents to, sharing our discovery.

Whenever I would come home from Washington for holidays, he and I would greet each other in the traditional way we always have. By leaning, side by side, as if supporting our weight with our elbows against a wall- except our elbows would be against one another, a metaphor for our relationship. That we could always lean on one another when we needed our sibling's help. We have photos of us in that pose. Mine is framed in my bedroom in Washington. His copy is framed in the hallway outside my parents' bedroom in Beverly Hills.

Our mom would always make one of us cut any baked goods, like cakes, and let the other sibling choose the first piece- the intent of this was to make us cut the two pieces as even as possible. When he knew it

was one of my favorite kinds of desserts, and it was his turn to divide it, he would always make the cut extremely lopsided, and insist I take the bigger piece. That's the kind of person he is. When grocery shopping, even into adulthood, he'd always make sure to get things for others that weren't on the list. Snacks or ingredients for meals he knew they'd like. Always thinking of others. He even started to learn to cook so he could make those meals himself.

He's always been the strait-laced one among the two of us when it came to following rules- at home, at school, and at large. I'd been suspended a couple times in my middle and high school days, and I can never remember him ever receiving a suspension. I had more detentions than him. I'd stay up past bedtimes, while he would go to bed. I'd sneak snacks, while he always asked for permission.

Thank you again for your time and consideration after reading my letter on my relationship with my younger brother. I know that if released on bond, he will abide by the law in all respects, and appear as ordered by the Court. I know he would not be a threat to the community.

Sincerely,

Adam Berkett

A handwritten signature in black ink that reads "Adam Berkett". The signature is written in a cursive, slightly slanted style.

July 23, 2021

U.S. District Magistrate Judge

Re: Scott Berkett's Bail Motion

We are the aunt and uncle of Scott Berkett, his mother's brother, and his aunt by marriage. We have known Scott since his birth and shared many family occasions and events together.

We appreciate the courts consideration of bail terms for our nephew, Scott. We feel that Scott should be granted bail by terms established by the court. Throughout his life Scott has always been respectful and polite and a joy to be around. He has always shown interest in us and our family. We have four children, all in their 20s and early 30s, and he has played with all of them throughout their lifetimes. We know they keep in contact via social media. They look forward to when Scott is at family functions. We have never seen Scott abuse alcohol or use drugs at any time we have been with him or at any family functions. We know both sides of his immediate family, other than his brother, all live in the Los Angeles area. We know he has not had any prior criminal activity. We and his cousins all feel that Scott is a pleasure to be with and look forward to being with him again. Scott has shared many of his life events with us.

We are the owners of a family coin-op business. Because of this I rarely take vacation. Earlier this year I took some time off and visited some friends back in the south. While I was away an emergency occurred at two of the locations I service. I asked my three sons if any of them could help me. All said they could not they were too busy. I called Scott and told him I needed his help. Even before I could tell him what I needed he jumped at the chance to help me. In the middle of Covid he had to drive from his home to Woodland Hills then to Orange County at night to help me out. I know I can always count on Scott when he is needed. I asked Scott why he offered to help and he told me "That's what family does".

There has been nothing that he has ever said or done that would make him a threat to the safety of others if released under terms of a court ordered bail. With so much of his family and support system in the Los Angeles area we know he would not be a flight risk and would appear for any court ordered appearance.

We thank you for your consideration for Scott and are confident he will follow all terms of his bail and be at all court appearances if released on bail.

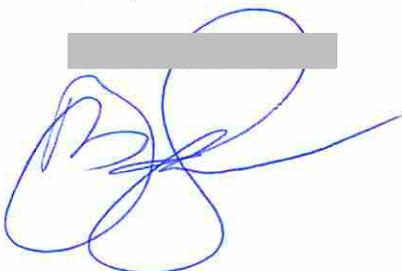
Sincerely,

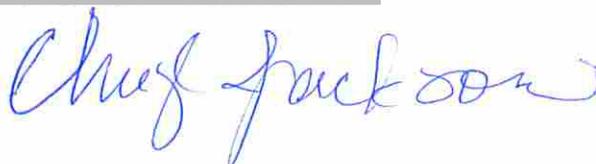
Roy Jackson (uncle)

Cheryl Jackson (aunt)

[Redacted]

[Redacted]

[Redacted]
[Redacted]




Martha & Barry Berkett

[REDACTED]
Beverly Hills, CA 90210
[REDACTED]

July 27, 2021

U. S. District Magistrate Judge

Re Scott Berkett

Your Honor:

The undersigned are Scott Berkett's aunt and uncle. Barry is Scott's father's brother. We have known Scott all his life and have interacted with him since he was a baby. The Berkett family is a large close-knit family who frequently get together on holidays and special occasions. Since so much of the family lives within just a few miles, often there are dozens of cousins, aunts, and uncles at the gatherings. During each of those numerous get togethers, we and our children have discussions with Scott as to what everyone is doing and what is happening in their lives. Scott is very close with his parents and brother Adam. They spend a considerable portion of their time as a family unit, including going annually on a family week at UCLA's Bruin Woods in Lake Arrowhead.

In addition to the family events, during the last several years, I [Barry], have met with Scott many times to mentor him on his career path. Scott had difficulty with the transition to college and junior college and we talked many times about what he wanted to do and how he could channel his passion for electronics into a career path. He is an intelligent man with a desire to improve his skills. In my discussions with him, he displayed a commitment to follow through on tasks he was charged with. It is my understanding that he did a good job and that his employer was very pleased by his performance. He had successfully integrated himself into his IT position and seemed to be happy with how things were going.

We obviously were very surprised by the allegations against Scott as we have never seen any aggressive postures made by him throughout the many years. He spent time with our children without any hint of violence and we never have been concerned about any potential violence by him. An example of Scott's temperament and drive for which he was very proud, was his achieving an Eagle Scout award from the Boy Scouts of America. I [Barry] was an Eagle Scout and it was important to Scott that I attend his award ceremony so he could show us his accomplishment.

Based upon our experiences with Scott and the strong family bonds, we are very confident that if released on bail, Scott would comply with all the court orders and would appear at trial for all court proceedings. I cannot imagine him fleeing the community, his family support network and forfeiting bail and its impact on his family.



Barry W. Berkett



Martha Berkett

UNIVERSITY OF CALIFORNIA, LOS ANGELES

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UCLA

SANTA BARBARA • SANTA CRUZ

MEDICINE-PEDIATRICS COMPREHENSIVE CARE CENTER
1245 16TH ST STE 125
SANTA MONICA, CA 90404
TEL: 310 315-8900
FAX: 310 315-8902

June 28, 2021

To Whom It May Concern:

Scott Berkett (DOB [REDACTED]/97) is a patient who has been under my care here at UCLA since 2014, and followed by a team of UCLA specialists including his nephrologist Ora Yadin since 2013. At that time, he was diagnosed with a rare kidney condition called IgA Nephropathy. This was managed for many years with immune suppressing medications and luckily is now in remission.

Although he is doing well medically, his chronic kidney disease would put him at increased risk of more serious illness should he contract COVID-19 or other similar illnesses. As such I have recommended every precaution possible be taken to avoid high risk situations for contracting illnesses.

Thank you for your understanding and feel free to contact my office with any additional questions at 310-315-8900.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Curcio".

Eric Curcio, MD



Grant Hester

Founder at [Linchpin](#)

350 North Glendale Avenue Suite B29,

Glendale, CA 91206

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July 29, 2021

Attention: United States District Court

Your honor:

I have known the Berkett family for more than 25 years. Jeff Berkett and I have been friends and business colleagues during that entire time. Scott has been working for us for almost 2 years as IT engineer and programmer.

Scott has worked for me for years and I have known him for 5 years. Many of our clients commented that he was a great engineer and nice to work with.

I don't believe Scott be well a threat anyone if he is released on bail and I don't believe he would be a flight risk and would show up as required.

Please Let me know if I can provide additional support for Scott.

Sincerely,

Grant Hester

7/29/2021

AnnaBella Thomason

Los Angeles, CA, 90066

07/28/2021

Re: Scott Quinn Berkett

To Your Honor

I have known Scott since I was 14 years old, he was my closest high school friend and even years later we still meet up with one another on occasion either with just each other, or with our other high school friends we've stayed in contact with. I would say that in a very real sense, I am one of Scott's closest friends and know many things about him including most of his struggles.

I have known Scott to be a friendly and easygoing man who has always been kind to me. He likes to do the normal things any young adult does and we would play games and hang out with one another when he came over. It was surprising to me when I heard of what he's been accused of since I wouldn't think of him as the kind of person capable of doing something like this. He always seemed to follow the rules around me, even when I was more prone to rule breaking and doing silly things for fun, he would be less likely to follow and nervous about even breaking school rules.

I do not believe Scott to be a threat to the community or to any persons if he were to be released, as mentioned he was always more rules oriented so I believe he can be counted on to stay in place and listen to the orders of the judge. He is an upstanding man, and I believe him to be a solidly good person.

A handwritten signature in black ink, appearing to read 'AnnaBella Thomason', written in a cursive style.

Sincerely,
AnnaBella Katherine Thomason

To the U.S. Magistrate Judge:

Your honor, we are writing to you as Scott Berkett's Aunt and Uncle and have been an important part of his life since his birth. Just as Scott has spent his life in California, both of us have lived here for over 70 years.

As for my background, I have spent most of my life as an insurance broker in Los Angeles. Currently, I am Co-President and Partner of a large, national insurance broker. My wife has been a R.E investor, housewife and mother. Each of us are committed and involved with charitable causes.

As family, the events surrounding Scott's incarceration were certainly shocking to us especially since there has never been any sign of this kind of behavior in the past. It was so contrary to the person we know so well. With this understanding of his character, we strongly believe that he would never be a threat to the safety of anyone if he was released from custody

Furthermore, under no circumstances do we believe that he would be a flight risk and that he would certainly adhere to your orders throughout this judicial process.

Throughout his life, he has always exhibited an honest, law abiding and considerate nature. His relationship with his parents has always been strong and loving.

He has spent his life living in Beverly Hills and has no ties elsewhere than his home here. Thus, he has maintained all of his friendships here.

Before his arrest, he was employed as a tech with a highly respected IT firm. His role involved working with employees of many businesses. The responses from them were always positive of his work ethics and character.

As for any past criminal, alcohol or drug related issues, he has never had a history of them.

In closing your Honor, we sincerely believe that Scott will certainly abide by the law in every respect if released on bond. We further believe that he would comply with all court orders if released.

Thank you for your consideration.

Sheldon and Denise Kravitz



Beverly Hill, Ca 90212

August 1, 2021

U.S. District Magistrate Judge

Re: Scott Berkett

Your Honor,

I am Scott Berkett's first cousin and I have known him his entire life. Our fathers are brothers and I grew up less than two miles from Scott. I have also been mentoring him recently and providing him career advice.

I am a successful real estate investor and philanthropist, serving on the board of numerous nonprofit organizations. As an executive and business owner, I have supervised many employees over the past two decades and consider myself an excellent judge of character.

I do not consider Scott a flight risk or a danger if released on bail.

Our grandfather always imparted on us the importance of punctuality and showing up when you said you would. One of his favorite expressions, which Scott and I heard often, was that if you weren't early, you were late. I remember one time when I showed up five minutes late for lunch with our grandfather and he admonished me for my tardiness. It was the last time I ever made that mistake.

Our grandfather taught us that our reputation is all we have. He spoke proudly of the Berkett name and how he had spent his 97 years in Beverly Hills and West Los Angeles making sure the name stood for something. He said when a Berkett makes a promise, it is as good as gold.

These are the lessons that Scott and I heard each time we saw our grandfather, which was often. Scott absorbed these lessons and I always knew him to be punctual and trustworthy. He would not have been able to become an Eagle Scout if he wasn't reliable and consistent.

When our grandmother was dying from a stroke, I invited Scott to join me at the hospital to say goodbye. Like many of our cousins, Scott was scared and hesitated to go. He did not want to see our grandmother sick and in a coma. But when I told him it would mean a lot to her and was the right thing to do, he quickly accepted. His willingness to do the right thing, even if it was uncomfortable and difficult, impressed me and spoke volumes of his character.

Scott has always been deeply rooted in Beverly Hills, sometimes to my frustration. Years ago, I told him about an all-expenses-paid trip abroad and encouraged him to take advantage of this once-in-a-lifetime opportunity. To my surprise, he did not want to go and preferred to stay at home. Like his parents (and most of our family), he has shown little interest in venturing far from home.

Scott grew up in a very tight-knit and nurturing community. His grandparents and all his paternal aunts, uncles and cousins lived within a five mile radius (I do not know exactly where his Mom's family lived as they are not related to me, but I believe they are also local). Both his father and our uncle, as well as our cousin, decided to work for our grandfather in the family business, which bears the Berkett name. Scott currently lives with his parents and has shown no desire to be anywhere but home. I fully expect that if released, Scott will return home, where he'll be surrounded by his parents and family.

For many reasons, I expect he will follow all court orders and appear at all mandatory hearings. I also have never see him exhibit any violent tendencies and do not expect him to be a threat to himself or others.

I am happy to answer any questions you may have.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Bryan Berkett', with a long horizontal flourish extending to the right.

Bryan Berkett



To the U.S Magistrate Judge

Your honor, my name is Jason Kravitz I am a resident of Los Angeles California and currently serve on the Board of JVS-Socal and am involved in multiple charities. I am an account executive for a large Insurance brokerage company. Additionally, I have worked with various family offices and PE funds on co investment opportunities.

I have known Scott Berkett for his entire lifetime. He is my youngest cousin. I grew up watching Scott play multiple sports and be a part of various school plays. Scott always had a love of song and theater and would entertain family with various Broadway pieces during family holidays. It was a highlight for myself and his other cousins. Scott and I would play several online games such as Pokemon Go. Despite our age gap I always enjoyed our frank discussions on topics from politics to what Netflix shows we were watching.

Prior to the recent accusations, I have never known or heard of him being violent. He does not have a history of drug and alcohol abuse and has no prior criminal record. As a lifelong resident of Los Angeles his ties are to this city. He was an IT specialist with a love of video game design. He always struck me as gentle and considerate and especially patient when dealing with any technical issues that family had. He was always willing to lend a helping hand when any family member needed his assistance.

I cannot fathom how Scott would be a flight risk as him and his family have been such pillars of the community. His character and past supports the notion that he would abide by any restrictions the court felt was appropriate. While the accusations are serious they are all the more shocking based on his past. However, I have the confidence that the court can count on him showing up for all proceedings as the case proceeds and he is afforded his due process.

Sincerely



Jason Kravitz

