

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**v.**

**MICHAEL T. FLYNN,**

**Defendant**

**Crim No.: 17-232 (EGS)**

**COVINGTON & BURLING LLP'S SUPPLEMENTAL NOTICE  
REGARDING TRANSFER OF CASE FILE TO SUCCESSOR COUNSEL**

Covington & Burling LLP ("Covington") submits this Supplemental Notice to provide information to the Court about the transfer of the case file to successor counsel. On July 25, 2019, Covington & Burling LLP filed a Notice Regarding Transfer of Case File to Defendant's New Counsel (Doc. 99). That Notice informed the Court that Covington had transferred its working case file in this case to new counsel within days of the termination of its representation of Mr. Flynn, and that we had then turned to identifying, collecting and transferring a large body of emails, text messages, handwritten notes, time records, voicemails, hard copy documents, and other records that were not maintained in that working case file during the ordinary course of business. Having finished that process, we stated that "the firm's transfer of its case file to General Flynn's new counsel is now complete."

In reviewing materials in response to the Court's March 6, 2020 Order (Doc. 174) to respond to Mr. Flynn's specific allegations in his Supplemental Motion to Withdraw Plea of Guilty (Doc. 160), however, we have found emails and two pages of handwritten notes that were not previously transferred to successor counsel. With respect to the emails, this appears to have resulted from errors in the process of collecting and searching electronic materials that were not

contained in the working case file. The two pages of notes appear to have been inadvertently missed during the file transfer process. Today, we made a supplemental transfer to Mr. Flynn's current counsel of the emails and notes identified to date as not having been transferred previously. We are in the process of working with our information technology personnel, as expeditiously as possible, to determine what other materials were not captured by the prior electronic searches and to collect and transfer them promptly to Mr. Flynn's current counsel. We will apprise the Court when this is completed and will provide any further information that the Court requires.

April 8, 2020

Respectfully submitted,



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