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Via ECF

The Honorable Brian M. Cogan
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *United States v. Garcia Luna* 19 Cr. 576 (BMC)

Dear Judge Cogan,

We write to respectfully ask that the Court order the government to file a revised Attachment A listing all relevant names. It is the defense's view that Attachment A is woefully inadequate, and the Court should order the government to provide a more complete listing of the names and places about which the jurors will hear during the January trial. Its list does not contain a single location. The government's reluctance to provide a complete list appears to be due to its reluctance to inform the defense of the witnesses it intends to call at trial. However, it does so at the expense of providing an adequate questionnaire and we ask the Court to order the government to provide a more complete list of the names and places about which the jury will hear at trial.

Attachment A to the juror questionnaire is meant to provide potential jurors with a list of names that may be mentioned at trial. The purpose of Attachment A is to ensure that the empaneled jurors are impartial by preventing the empaneling of any juror who has a prior relationship with, or knowledge of individuals or entities connected to this matter. There are numerous individuals that the defense has identified from the § 3500 materials produced to date that should be listed in Attachment A but are not. Notably, the majority of the § 3500 material has not been provided to the defense, therefore, it would be currently impossible for the defense to adequately edit Attachment A to include all the names that may be mentioned at trial. Solely the government can identify the places and individuals about which its witnesses will testify.

To ensure that the jurors empaneled to decide Mr. Garcia Luna's fate at trial are wholly impartial, Attachment A must reference all relevant names, including all the names of alleged co-conspirators that will be mentioned at trial. After receiving its draft Attachment A, we informed the government of this but they have refused to add a complete list of names to prevent disclosing the names of its witnesses in advance of trial. Accordingly, we respectfully ask that the Court order the government to file a revised Attachment A listing all relevant names and places.

Respectfully submitted,

/s/

César de Castro
Valerie Gotlib
Shannon McManus
Florian Miedel