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November 8, 2021

Honorable Alison J. Nathan  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: United States v. Roger Thomas Clark  
15-cr-866 (AJN)

Dear Judge Nathan:

I write to provide the Court with updated information about the medical condition of my client, Roger Clark, whose sentencing is pending before this Court. As I stated in my letters of October 18, and 29, 2021, Mr. Clark was badly injured during a fall in his cell at the MDC. Following surgery at NYU Langone – Brooklyn, Mr. Clark was transferred to a medical facility to complete his medical treatment and to begin rehabilitation. He tells me that he is receiving care and evaluation for ongoing medical issues, and he has begun physical therapy.

I have now been able to have telephone communication with Mr. Clark several times. However, the calls have not been confidential. Through the United States Marshal's Service and with the ongoing assistance of Assistant United States Attorney Michael Neff, I have been able to arrange to have privileged telephone communication with Mr. Clark twice a week going forward. Additionally, the Marshals Service has agreed that my paralegal and I may visit Mr. Clark in person. While these contacts have not yet taken place, I am confident that the parties have worked out a system that will permit me to function effectively as Mr. Clark's counsel.

It is my understanding that there is no certain date for Mr. Clark's discharge back to the MDC. I expect to meet with Mr. Clark in person this week to discuss his situation and to obtain a signed HIPAA release that will enable me to get his medical records from the hospitals that have treated him. This will also make it possible for me to speak to his treating physicians about his prognosis. I

