



U.S. Department of Justice

United States Attorney
Southern District of New York

The Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278

January 22, 2025

BY ECF

The Honorable Dale E. Ho
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Eric Adams*, 24 Cr. 556 (DEH)

Dear Judge Ho:

The Government respectfully submits this letter in response to the defendant's January 18, 2025 letter. (Dkt. 99). Adams's letter discusses an article published on January 16, 2025, authored by Damian Williams, who was United States Attorney for the Southern District of New York from October 10, 2021, until December 13, 2024.

Adams's criticism of the article and the fact of its publication are beside the point. Whatever may be said of the article, it is unclear how an article written by a private person, appearing in a private publication, could entitle Adams to relief in a criminal case. Adams does not, and could not reasonably, claim that the article reveals any grand jury information. Nor does Local Rule 23.1 provide for relief against the Government based on statements made by an individual who is plainly beyond the control of either party. *See United States v. Combs*, No. 24 Cr. 542 (AS), 2024 WL 4719584, at *1 (S.D.N.Y. Nov. 8, 2024) (discussing limit of Rule 23.1 to those participating in a matter).

Adams argues that Williams's article "should be considered" by the Court in reviewing his latest motion claiming leaks of grand jury material. (Dkt. 99 at 3). But Adams's leaks motion concerns testimony that he describes as occurring shortly before December 22, 2024 (Dkt. 83 at 2), and thus *after* Williams left office. Moreover, Adams's claim that the article prejudices him is difficult to square with the fact that Adams appears more interested than anyone in maximizing media coverage of the events about which he purports to complain: The news story on the purported leaks had "an unusual source"—Adams's attorney.¹ And Adams has done all he can to amplify Williams's article by ensuring its sentiments were repeated in a prominent newspaper.²

¹ *See* William K. Rashbaum & Dana Rubinstein, "Federal Grand Jury Has Heard More Evidence in Case Against Mayor Adams," *N.Y. Times* (Jan. 10, 2025), <https://www.nytimes.com/2025/01/10/nyregion/eric-adams-corruption-grand-jury.html>.

² *See* Rich Calder, "NYC Mayor Eric Adams' legal team trying to get public corruption case tossed by claiming ex-top fed prosecutor tainted jury pool," *N.Y. Post* (Jan. 18, 2025), <https://nypost.com/2025/01/18/us-news/nyc-mayor-eric-adams-legal-team-trying-to-get-public->

Instead, Adams's latest filing should be viewed in light of his shifting attempts to suggest that he was indicted for any reason other than his crimes. At the outset of the case, Adams contended that his indictment resulted from a policy disagreement with the prior presidential administration arising in October 2022. That claim disintegrated when discovery made clear that the investigation into Adams began more than a year earlier, based on concrete evidence that Adams had accepted illegal campaign contributions. (*See* Dkt. 83 at 3 & n.2; Dkt. 89 at 2 & Ex. C). Having offered one false theory about the origins of the case, Adams's latest, self-publicized argument is simply an attempt to shift the focus away from the evidence of his guilt.³ And lest Adams claim the absence of saying this suggests otherwise: Williams did not cause Adams to be investigated. The evidence of Adams's crimes was uncovered by career law enforcement officers performing their duties, in an investigation that began before Williams took office and, as observed above, continued after he left.

Respectfully Submitted,

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cc: Counsel of Record (by ECF)

corruption-case-tossed-by-claiming-ex-top-fed-prosecutor-tainted-jury-pool (repeating Williams's statement that the City is "being led with a broken ethical compass" based on Adams's filing with this Court, which was "first seen" by the *Post*, in an article published at 6:42 p.m. on January 18, 2025—the same moment Adams filed with this Court).

³ To be clear, the Government is not accusing Adams's attorneys of making false statements to the Court. Adams's attorneys could not know with certainty that their client's claim was false until they reviewed discovery, and they have not repeated that claim since they received discovery. (*Cf.* Dkt. 76 at 3 (Government motion noting that defense counsel now knew "this narrative was false"); Dkt. 80 (defense response vigorously contesting the motion but not repeating Adams's false claim or disputing its falsity)).