

Subject: RE: US v. Maxwell, 20 Cr. 330 (AJN) - discovery production

Date: Thu, 19 Nov 2020 17:33:55 +0000

Chris,

I have asked our paralegal and IT staff how large a drive we will need, and I hope to have an answer for you by our 1:30 call today.

As for the most recent production, the hard drive contains the production prepared by our vendor, which includes approximately 1.2 million documents. The CD contains the final portion of the responsive images from Epstein's iPhone. So they were produced separately because they were prepared by different offices: the hard drive was prepared by the vendor, and the CD was prepared by our paralegals.

Because we are planning to put all productions onto a single hard drive, as you requested, the files from the CD will be included on that new drive, so Ms. Maxwell will have those files both on a CD and on a hard drive.

Best,

Assistant United States Attorney
Southern District of New York
1 St. Andrew's Plaza
New York, NY 10007

From: Christian Everdell [REDACTED]
Sent: Wednesday, November 18, 2020 10:39 PM
To: [REDACTED] <[REDACTED]>; [REDACTED]
[REDACTED]
Cc: [REDACTED] <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>
Subject: RE: US v. Maxwell, 20 Cr. 330 (AJN) - discovery production

Thanks, [REDACTED].

We will provide another drive to load the full production. We just have to figure out how big it needs to be. If you have any thoughts on that, please let me know.

Also, can you explain the difference between the hard drive and the CD? Did you just need a little more space than what the hard drive offered? Or is there a reason you put certain files on the CD? I note that the laptop does not contain a disk

drive, so I assume Ms. Maxwell will have to use the prison computer to review the files on the CD?

Thanks,

Chris

From: [REDACTED] [mailto:[REDACTED]]

Sent: Wednesday, November 18, 2020 2:23 PM

To: Christian Everdell; Mark S. Cohen; Laura Menninger; Jeff Pagliuca; BOBBI C STERNHEIM

Cc: [REDACTED]; [REDACTED] (USANYS)

Subject: RE: US v. Maxwell, 20 Cr. 330 (AJN) - discovery production

Chris,

I have asked MDC staff to provide Ms. Maxwell with the drive containing the November 9th discovery production and will follow up with them again about it.

We can certainly make a copy of all productions to date on a single hard drive for Ms. Maxwell to review at the MDC. My apologies, I did not appreciate that you were requesting a full reproduction of all past discovery. My understanding was that the reproductions contained on the November 9th drive would address your concerns. If you would prefer to have a single drive containing all productions, we can certainly accommodate that request. Please let me know if you would like us to use one of the drives already at the MDC for this purpose, or if you would like to provide my office with a new drive.

My understanding from the MDC is that for security purposes, the laptop will be kept in a locker to which only two lieutenants have access. Those two lieutenants work Monday through Friday 8:30am to 3:30pm, which is when Ms. Maxwell will have access to the laptop. For the remainder of the 13 hours of review time, Ms. Maxwell may review her discovery on the MDC computer. The laptop is being provided to allow Ms. Maxwell to open files that she could not open on the MDC computer. 35 hours per week should be more than sufficient to review any excel files or other file types that cannot be viewed on the MDC computer.

Best,

[REDACTED]

[REDACTED]
Assistant United States Attorney
Southern District of New York
1 St. Andrew's Plaza
New York, NY 10007
[REDACTED]
[REDACTED]

From: Christian Everdell [REDACTED]

Sent: Wednesday, November 18, 2020 2:11 PM

To: [REDACTED] <[REDACTED]>; [REDACTED]

[REDACTED]
[REDACTED]

Cc: [REDACTED] <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>

Subject: RE: US v. Maxwell, 20 Cr. 330 (AJN) - discovery production

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[REDACTED] -

We will send someone to pick up the new production. But as we discussed, if Ms. Maxwell has to rely on the existing hard drives to view the discovery on the new laptop, that is not going to work.

For one thing, Ms. Maxwell still has not received the hard drive you produced on November 9, which was supposed to contain replacement copies of the files on the hard drive produced on September 3 (which was broken in MDC) and the files in the October 2 production (see attached email). We cannot rely on a drive that has not been made available to Ms. Maxwell.

Also, when we spoke about the laptop, my understanding was that if you could not load the files directly onto the laptop, you would create a new hard drive that contained the entire discovery production and that you would verify that the files on that hard drive were readable on the new laptop. That way, we would not have to rely on a patchwork of prior hard drives which had a lot of problems.

To be clear, I don't think the laptop solution you have proposed will solve the problems that Ms. Maxwell has been experiencing and is not consistent with what we discussed. If there is no way to load the full discovery on the laptop itself, then please advise if you are able to create a new hard drive that contains the complete production (without the highly confidential materials) that can be made available to Ms. Maxwell in the MDC.

Also, I have been informed by Ms. Maxwell, that the MDC told her today that she will only be able to use the laptop to review discovery from 8:30am-3:30pm on weekdays. That is only seven hours a day, as opposed to the 13 hours a day (plus weekends) that the BOP had agreed to before. There is no reason for this restriction. It is also not acceptable. In this latest production alone, there are over 2 million pages to review. Ms. Maxwell cannot possibly review that much material by trial if her review is restricted in this way. Please confirm that she will be able to have the full 13 hours per day (plus weekends) to review the discovery, as previously agreed.

Thanks,

Chris

From: [REDACTED]) [mailto:[REDACTED]]
Sent: Wednesday, November 18, 2020 9:25 AM
To: Christian Everdell; Mark S. Cohen; Laura Menninger; Jeff Pagliuca; BOBBI C STERNHEIM
Cc: [REDACTED]; [REDACTED] (USANYNS)
Subject: US v. Maxwell, 20 Cr. 330 (AJN) - discovery production

Counsel,

A drive and a CD containing a new discovery production in the above-referenced case are now available for pickup at One St. Andrew's Plaza. Attached please find the accompanying discovery letter.

This morning, I hand delivered a copy of this production and a laptop to the MDC for Ms. Maxwell. My understanding from the MDC is that Ms. Maxwell will be permitted to use this laptop and a power cord to review her discovery drives. Our IT staff, paralegal staff, and I have all confirmed that this laptop is able to open every file type contained in the discovery productions to date. The laptop does not have sufficient storage space to save the productions on the laptop itself, but we have saved all discovery cover letters to date on the desktop for ease of access. Ms. Maxwell will need to use the hard drives with the laptop to review her discovery.

Best,

[REDACTED]

EFTA00017815

Assistant United States Attorney
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1 St. Andrew's Plaza
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[REDACTED]
[REDACTED]