

**From:** [REDACTED] <[REDACTED]>  
**To:** [REDACTED] <[REDACTED]>, [REDACTED] <[REDACTED]>, [REDACTED] <[REDACTED]>  
**Subject:** RE: FW: conditions in SHU  
**Date:** Mon, 08 Jul 2019 18:19:41 +0000

---

We are only away from our desks between 10 and 1 for a tour tomorrow.

>>> "[REDACTED] (USANYS)" <[REDACTED]> 7/8/2019 2:18 PM >>>  
I know [REDACTED] is going to be tied up for much of today. What are some good times tomorrow that work for you?

[REDACTED]  
Assistant United States Attorney  
[REDACTED]

---

**From:** [REDACTED] <[REDACTED]>  
**Sent:** Monday, July 8, 2019 2:08 PM  
**To:** [REDACTED] <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>  
**Subject:** RE: FW: conditions in SHU

Hi all,  
  
How does 2:45 or 3 sound? Would tomorrow be better? Time got away from me playing catch-up on all I missed last week.

Thank you,  
[REDACTED]  
  
[REDACTED]  
Supervisory Staff Attorney  
CLC New York  
Metropolitan Correctional Center  
150 Park Row  
New York, New York 10007  
p: [REDACTED]  
f: [REDACTED]

>>> "[REDACTED]" <[REDACTED]> 7/5/2019 2:10 PM >>>  
Thanks [REDACTED]. Any time after 1:30pm should work.

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

---

**From:** [REDACTED] <[REDACTED]>

**Sent:** Friday, July 5, 2019 1:38 PM

**To:** [REDACTED] <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>

**Subject:** Re: FW: conditions in SHU

Hi [REDACTED],

[REDACTED] is out today and I'm not sure what his schedule is for Monday. Is there a particular time that works (or doesn't work) for you?

Thanks,

[REDACTED]

[REDACTED]-Vessella

Staff Attorney

CLC New York

Metropolitan Correctional Center

150 Park Row

New York, NY 10007

p: [REDACTED]

f: [REDACTED]

>>> "[REDACTED]" <[REDACTED]> 7/5/2019 1:24 PM >>>

We should discuss this issue as well as the cellphone on a call on Monday. [REDACTED]/[REDACTED], what times would work for you on Monday?

Thanks,

[REDACTED]

[REDACTED]  
Assistant United States Attorney

Southern District of New York

1 St. Andrew's Plaza

New York, NY 10007

[REDACTED]

[REDACTED]

---

**From:** Bruce Barket <[REDACTED]>

**Sent:** Friday, July 5, 2019 1:02 PM

**To:** [REDACTED] <[REDACTED]> ([REDACTED]) <[REDACTED]>; [REDACTED] <[REDACTED]>

**Cc:** [REDACTED] <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>; tonyricco ([REDACTED]) <[REDACTED]>; Aida Leisenring <[REDACTED]>

**Subject:** conditions in SHU

Good afternoon,

As I think you all know Nick has been placed in SHU based on an allegation that he was in possession of a cell phone. If true, I understand that some appropriate and proportional sanction may be in order.

Leaving that aside I want to address the conditions in his cell. The toilet is leaking and the floor is wet. As of Wednesday, he hasn't received his personal property, including his books. He has been sitting in the cell with literally nothing to read, listen to or watch. Can we please make an effort to get him reading material, his radio and the accompanying batteries.

Most troubling is that he tells me that the legal work he had out when he was removed from the cell has not been returned to him. This included documents prepared for him by my office which contained substantial and sensitive work product that falls squarely within the attorney client privilege. Nick made notes on some of these documents to prepare for our next meeting. When I saw him Wednesday, he had some of his legal paperwork but not the documents he was working with when he was taken from the cell. I am very concerned that these documents have been seized by the staff at MCC. Can you please take steps to see to that all of this material be returned to him immediately.

Lastly, I am hoping we can find time early next week to discuss the conditions of Nick's confinement going forward.

Bruce A. Barket, Esq.  
Barket Epstein Kearon Aldea & LoTurco, LLP  
666 Old Country Road , Ste. 700  
Garden City, NY 11530  
[REDACTED] [P] [REDACTED] [F]  
[www.barketepstein.com](http://www.barketepstein.com)

This transmittal may be a confidential attorney client communication or may otherwise be privileged or confidential. If it is not clear that you are the intended recipient, you are hereby notified that you have received this transmittal in error; any review, dissemination, distribution or copying of this transmittal is strictly prohibited. If you suspect that you have received this communication in error, please notify us immediately by telephone or email and immediately delete this message and all its attachments