

**Fwd: Re: Attorney Email and MDC Laptop Issue**

**From** (b)(6); (b)(7)(C)  
**To**  
**Date** 2016/11/08 07:31  
**Subject:** Fwd: Re: Attorney Email and MDC Laptop Issue  
**Attachments:** TEXT.htm

>>> (b)(6); (b)(7)(C) 11/7/2016 12:58 PM >>>

Hi Warden,

Per the below, for tomorrow's teleconference, please dial into (b)(6); (b)(7)(C) and put in the access code (b)(6); (b)(7)(C)

Thank you,

(b)(6); (b)(7)(C)

CLC New York  
Metropolitan Correctional Center  
150 Park Row  
New York, New York 10007

p: (b)(6); (b)(7)(C)  
f: (b)(6); (b)(7)(C)

>>> (b)(6); (b)(7)(C)@nysd.uscourts.gov 11/3/2016 8:58 PM >>>

That works for me. But just a reminder that that's Election Day and therefore a federal holiday. Assuming everyone knows that and is still okay with it, let's plan on a conference call at 11:30. Everyone can dial in to (b)(6); (b)(7)(C) and put in the access code (b)(6); (b)(7)(C)

And please keep pressing for answers on the attorney-client email solution, because I really wanted to announce that at the meeting on the 15th.

Thanks, (b)(6); (b)(7)(C)

R

Richard J. Sullivan  
United States District Judge  
Southern District of New York  
United States Courthouse  
40 Foley Square  
New York, NY 10007-1312

Tel: (b)(6); (b)(7)(C)  
Email: (b)(6); (b)(7)(C)@nysd.uscourts.gov

(b)(6); (b)(7)(C)  
<(b)(6); (b)(7)(C)>@bop.g  
ov> To  
(b)(6); (b)(7)(C)@nysd.uscourts.gov  
11/03/2016 03:48 >  
PM cc

Subject  
Re: Attorney Email and MDC Laptop  
Issue

Hi Judge Sullivan,

Tuesday, November 8, at 11:30 am works best for the Wardens, (b)(6); (b)(7)(C) and me, if it still works with your schedule.

Thank you,

(b)(6); (b)(7)(C)

CLC New York  
Metropolitan Correctional Center  
150 Park Row  
New York, New York 10007

p: (b)(6); (b)(7)(C)

f:

>>> (b)(6); (b)(7)(C) 11/2/2016 11:49 AM >>>

Good morning Your Honor,

I am reaching out to find out which date/time works for everyone to chat with you next week, and will let you know as soon as possible. I am also

working with the MCC New York Captain to find a more permanent solution to the visiting issue at MCC. Unfortunately, I still have no definitive answer to the filter issue. There seems to have been some snag in DC and I am following up. I can address the other digital discovery issues and our actively working towards mutually beneficial solutions, as well as our videoconferencing capabilities.

Thank you,

(b)(6); (b)(7)(C)

CLC New York  
Metropolitan Correctional Center  
150 Park Row  
New York, New York 10007

p: (b)(6); (b)(7)(C)  
f: [redacted]

>>> <(b)(6); (b)(7)(C)>@nysd.uscourts.gov> 11/2/2016 10:24 AM >>>

(b)(6); (b)(7)(C) I was hoping we could arrange a date and time for a conference call with the Wardens for later this week or next week to discuss the topics likely to come up at the Criminal Justice Advisory Board meeting on the 15th. Can you coordinate with the Wardens and (b)(6); (b)(7)(C) and get back to me with some dates? Looking at my schedule, I could manage Friday, November 4th at 10:00; Monday, November 7th at 11:30 or 3:30; Tuesday, November 8th at 11:30; or Thursday, November 10th at 8:30 or 4:00. Let me know if any of those work for you folks.

Also, is there any reason why the MDC laptop policy excludes paralegals? Sometimes, that's the most efficient and cost effective way to review discovery with detained defendants, particularly those who are Spanish-speakers. I've received several emails to that effect, and I think this is likely to be an issue that comes up at the CJAB meeting.

Let me know if there are any other topics you'd like to see discussed at the meeting. Do you have any more information on the filter for the attorney-client email issue?

RJS

Richard J. Sullivan  
United States District Judge  
Southern District of New York  
United States Courthouse  
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New York, NY 10007-1312

Tel: (b)(6); (b)(7)(C)  
Email: (b)(6); (b)(7)(C)@nysd.uscourts.gov

"(b)(6); (b)(7)(C)"  
<(b)(6); (b)(7)(C)@bop.gov>  
ov> To  
(b)(6); (b)(7)(C)@nysd.uscourts.gov  
10/20/2016 12:15 PM >  
cc  
(b)(6); (b)(7)(C)  
<(b)(6); (b)(7)(C)@bop.gov>  
Subject  
Re: Attorney Email and MDC Laptop  
Issue

Hi Judge,

I am following up on the status of the filter. While the Legal side of the house has issued guidance, we have not yet heard back as to implementation. I hope to have more to share with you prior to the meeting.

As for the pilot program at MDC, it is my understanding that the program permitting defense counsel to bring in laptops and/or hard drives is currently operational. Attached is a copy of the agreement counsel must sign in order to bring those items in (with advance notice). I am also advised that currently only attorneys are permitted to bring these electronic devices, not legal support staff (e.g paralegals/investigators).

MCC New York, on the other hand, currently asks defense counsel for 24 hours notice so that our Education Department can bring the hard drives provided by the USAO for the inmates to the attorney conference area to review on the computers there.

In other news, MCC has also recently successfully tested our videoconferencing capability with the EDNY on a high profile case. I am

looking to test our connection with the SDNY court soon.

Thank you,

(b)(6); (b)(7)(C)

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p: (b)(6); (b)(7)(C)

f:

>>> (b)(6); (b)(7)(C)@nysd.uscourts.gov 10/20/2016 11:48 AM >>>

Hi, (b)(6); (b)(7)(C) I just wanted to follow up with you to get an update on the attorney-client email project. Is the email "filter" up and running? I'm anxious to hear how it's going, and I'd love to be able to discuss it as a success at our next Criminal Justice Advisory Board Meeting in November.

I also wanted to alert you (and (b)(6); (b)(7)(C) and Warden Quay) to the complaint I received below about the MDC's new policy that prohibits defense counsel from bringing laptops or hard drives to review crucial discovery with their clients. (b)(5); (b)(7)(F)

(b)(5); (b)(7)(F) The government produced the discovery on hard drives -- not discs -- which make the new MDC policy particularly problematic.

Give me a call or shoot me an email to discuss the first issue, and you and/or (b)(6); (b)(7)(C) can contact me regarding the second one.

Thanks.

RJS

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----- Forwarded by Richard Sullivan/NYSD/02/USCOURTS on 10/20/2016 11:39 AM