

From: [Jolly, Vinay \(USAEO\)](#)
To: [Brudy-Everett, Kristin \(USADC\)](#)
Subject: FW: FOIA Request: EOUSA 2018-005641 Supplemental response WDPA
Date: Monday, October 19, 2020 2:34:52 PM

Kristin, see below response to the Plaintiff from the USAO-PAW Criminal Chief. Please feel free to share and see if PAW can now be removed from a search challenge. Please also note the Miller email stated: Similarly, any requests for copies of inmate correspondence should be approved by me before you or the agent requests copies of the correspondence from the institution.

From: Dojcak, Melissa (USAPAW) <MDojcak@usa.doj.gov>
Sent: Monday, October 19, 2020 11:31 AM
To: Jolly, Vinay (USAEO) <VJolly@usa.doj.gov>
Subject: FW: FOIA Request: EOUSA 2018-005641 Supplemental response WDPA

See below.

From: Rivetti, Troy (USAPAW) <TRivetti@usa.doj.gov>
Sent: Monday, October 19, 2020 11:27 AM
To: Dojcak, Melissa (USAPAW) <MDojcak@usa.doj.gov>
Subject: RE: FOIA Request: EOUSA 2018-005641 Supplemental response WDPA

There is nothing more to produce.

The 6/20/2019 email from Tina Miller (then Criminal Chief) was sent after the FOIA request response, but it reflects the office's long-standing prohibition regarding obtaining any attorney client communications pertaining to prisoners. The 6/20/2019 states that "any requests for copies of inmate correspondence should be approved by me [Tina Miller]." That includes email correspondence. The Criminal Chief has to approve any requests for inmate correspondence – and that is one more "check" on the procedure which prohibits the gathering of any attorney client communications pertaining to prisoners. That includes email correspondence.

Bottom line: there is nothing more to produce.

Thanks.

Troy

Troy Rivetti, AUSA
Chief of the Criminal Division
United States Attorney's Office
Western District of Pennsylvania
(412) 894-7410

From: Melody Wong <mwong@clinical.law.berkeley.edu>
Sent: Thursday, October 15, 2020 8:08 PM
To: Brudy-Everett, Kristin (USADC) <KBrudyEverett@usa.doj.gov>
Cc: Megan Graham <mgraham@clinical.law.berkeley.edu>; Schuyler Standley

[<sstandley@clinical.law.berkeley.edu>](mailto:sstandley@clinical.law.berkeley.edu)

Subject: Fw: FOIA Request: EOUSA 2018-005641 Supplemental response WDPA

Hi Kristin,

We appreciate you sharing Criminal Chief Miller's 6/20/19 email with us. However, we noticed that the language did not specify that it also applied to prisoner emails. Here is the portion of the search description that we believed would be in the email:

All subpoenas for jail calls state: "The telephone recordings provided pursuant to this request should not include any conversations between an inmate and an attorney." **Our AUSAs understand that prohibition, and accordingly subsequently applied that same prohibition to prisoner emails.**

Could you also produce this search description email describing Criminal Chief Miller's 6/20/19 email? We are looking to have a clear record of W.D. PA's email-related practices as part of the production.

Best,
Schuyler and Melody

From: USAEO-FOIA Requests <USAEO.FOIA.Requests@usdoj.gov>

Date: Wednesday, October 14, 2020 at 8:19 AM

To: Megan Graham <mgraham@clinical.law.berkeley.edu>

Subject: FW: FOIA Request: EOUSA 2018-005641 Supplemental response WDPA

Please see the attached supplemental response.

Thank you.

EOUSA FOIA Staff
2020-252-6020