

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK

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4 UNITED STATES OF AMERICA, : 23-CR-146(DG)

5 -against- : United States Courthouse
6 : Brooklyn, New York

7 RACHEL CHERWITZ and
8 NICOLE DAEDONE,

9 : May 3, 2024
10 : 10:30 o'clock a.m.

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12 TRANSCRIPT OF CONFERENCE
13 BEFORE THE HONORABLE DIANE GUJARATI
14 UNITED STATES DISTRICT JUDGE.

15 APPEARANCES:

16 For the Government: BREON PEACE
17 United States Attorney
18 BY: GILLIAN KASSNER
19 DEVON LASH
20 Assistant United States Attorneys
21 271 Cadman Plaza East
22 Brooklyn, New York

23 For the Defendants: ALSTON & BIRD LLP
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25 New York, New York 10016
BY: JENNY R. KRAMER, ESQ.
RACHEL FINKEL, ESQ.
For Defendant Rachel Cherwitz

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1114 Avenue of the Americas
New York, New York 10036

BY: JULIA GATTO, ESQ.
For Defendant Nicole Daedone

1 by defendants to obtain the labor of the OneTaste members who
2 were victims of the scheme; abusive labor practices in which
3 defendants engaged; specific forms of labor that OneTaste
4 members were directed to perform, including sexual conduct;
5 and the time frame in which defendants engaged in the charged
6 conduct.

7 At oral argument, the government pointed to
8 paragraphs 7 through 10 of the indictment on the issues of
9 serious harm and coercive tactics.

10 The government argues that the indictment, which
11 charges a conspiracy, clearly states the object of the
12 conspiracy and provides enough detail to reasonably apprise
13 defendants of the nature of the charges against them.

14 The government argues, with respect to both the
15 Fifth and Sixth Amendment challenges by defendants, that
16 defendants overlook that the instant case charges a conspiracy
17 and not a substantive offense.

18 The government notes that defendants could be proven
19 guilty if they never forced any victim to do anything, so long
20 as the evidence proves beyond a reasonable doubt that they
21 agreed to do so.

22 The government notes that certain cases cited by
23 defendants are distinguishable because, here, a conspiracy is
24 charged. And the government asserts that certain cases cited
25 by defendants are otherwise distinguishable, including because