

SHER TREMONTE LLP

August 15, 2018

VIA ECF

Magistrate Judge Lois Bloom
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *United States v. Raniere et al.*, 18 Crim. 204 (NGG)

Dear Judge Bloom:

I represent Kathy Russell in the above-referenced action. Ms. Russell was arrested on July 24, 2018 and charged with participating in a Racketeering Conspiracy in violation of 18 U.S.C. § 1962(c). Specifically, Ms. Russell is named in two of the ten racketeering acts charged in Count One, both of which charge her with identity theft crimes. On the day of her arrest, July 24, 2018, Ms. Russell appeared before Magistrate Judge Daniel J. Stewart in the U.S. District Court in the Northern District of New York. Judge Stewart provided Ms. Russell with the standard bail warnings and set a bond in the amount of \$25,000 to be secured by cash or U.S. property. On July 25, 2018, Ms. Russell's long-time friend, Karen Abney, signed a \$25,000 bond, secured by cash, and Ms. Russell was released.

Because the United States Attorney's Office has raised concerns about the amount of the bond set by Judge Stewart, we now write to respectfully request that Your Honor modify Ms. Russell's conditions of release to add a supplemental bond in the amount of \$150,000, to be co-signed by Ms. Russell's friend, Eric Mumford. The government consents to this modification.

The terms of the proposed bond will be identical to the terms of the bond entered in the NDNY, which, in addition to the standard conditions, direct Ms. Russell to:

1. Report to the Pretrial Services as directed and allow a probation officer to visit at anytime at Ms. Russell's home or elsewhere. Ms. Russell shall permit confiscation of any contraband observed in plain view of the probation officer and shall refrain from possessing a firearm, destructive device, or other dangerous weapon.
2. Maintain or actively seek employment.

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3. Surrender any passport to the Clerk of the Court.
4. Obtain no passport or travel documents.
5. Restrict travel to the Northern, Southern, and Eastern Districts of New York unless approved by Pretrial Services or the Court.
6. Remain at an authorized address as approved by Pretrial Services or the Court.
7. Avoid all contact with potential co-defendants and potential defendants in related cases unless approved by Pretrial Services or the Court.
8. Refrain from excessive use of alcohol.
9. Refrain from possession, use, distribution, importation, or manufacture of any and all controlled substances, and any and all controlled substance analogues, as defined in 21 U.S.C. § 802, except that possession and use of a controlled substance properly prescribed by a licensed medical practitioner is permitted.
10. Refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic monitoring.
11. Participate in electronic monitoring.
12. Be restricted to her residence every day from 9:00 PM to 7:00 AM as directed by Pretrial Service or the Court.
13. Report within 72 hours, to Pretrial Services or the Court any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.
14. Not commit another crime, in the United States or elsewhere.

We note that Ms. Russell has already been arraigned on the indictment before Judge Nicholas G. Garaufis in the Eastern District of New York. During that court appearance, on July 27, 2018, Ms. Russell entered a plea of not guilty and Judge Garaufis ordered the conditions of release and bond for Ms. Russell that were ordered in the NDNY to apply in the EDNY. *See* ECF Nos. 89-90. Judge Garaufis also ordered that Ms. Russell submit to an initial drug test and refrain from working for entities associated with NXIVM, including the Estate of Pamela Cafritz. Those conditions remain in place. The parties also agree that the bond will include a condition directing Ms. Russell not to contact any current or former employees or independent contractors of or for NXIVM (including any and all affiliated entities) or with any individual who is currently or was

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formerly on the stripe path. This condition is subject to reasonable exceptions agreed-upon by the parties.

The government conducted a telephone interview of Mr. Mumford on August 13, 2018 and consented to Ms. Russell's request that he act as a supplemental suretor. Mr. Mumford resides in Boston, MA and is prepared to sign a bond in a federal court in Boston once the bond is approved by the Court.

The government consents to Ms. Russell appearing before Your Honor via telephone. Pretrial Services took no position with respect to Ms. Russell's telephonic appearance.

I appreciate the Court's consideration.

Respectfully submitted,

/s/ Justine A. Harris

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