



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MKM:TH/MKP
F. #2017R01840

*271 Cadman Plaza East
Brooklyn, New York 11201*

November 2, 2018

By ECF

The Honorable Vera M. Scanlon
United States Magistrate Judge
United States District Court
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Keith Raniere, et al.
Criminal Docket No. 18-204 (NGG) (S-1)

Dear Judge Scanlon:

The government respectfully submits this letter to provide an update to the Court on the status and anticipated schedule of its production of Rule 16 discovery materials. Since October 12, 2018, when the government filed its most recent letter to the Court regarding discovery, see ECF Docket Entry 169, the government has produced over 96,000 pages of discovery, including substantial productions of the results of searches of electronic accounts belonging to defendants Keith Raniere, Clare Bronfman, and Allison Mack. In addition, pursuant to a stipulation and order entered by the Court on October 19, 2018, the government has made available, to all defendants, forensic copies of nearly all the devices seized from the residence of defendant Nancy Salzman. The government has provided, submitted under separate cover, an updated list of electronic data, noting, where applicable, which defendants have received a copy.

As the Court is aware, the government has a privilege review team (the "Firewall AUSA") separate from the prosecutors and agents responsible for the instant prosecution and investigation (the "prosecution team") to review potentially privileged materials. Three defendants — Keith Raniere, Clare Bronfman and Nancy Salzman — have asserted that certain material seized by the government may contain potentially privileged communications. In response to requests by the government, defendants Raniere, Bronfman, and Nancy Salzman have provided lists of attorneys and law firms with whom these defendants assert they had privileged communications, either in a personal capacity and/or as a representative of Nxivm. Each of these defendants have claimed attorney-client relationships with several of the same attorneys.

