

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**v.**

**ERIC MUNCHEL and  
LISA EISENHART,**

**Defendants.**

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**Case No. 1:21-cr-00118-RCL**

**GOVERNMENT’S NOTICE OF FILING**

The United States of America, through its attorney, the United States Attorney for the District of Columbia, respectfully files a copy of the Government’s fourth informal discovery letter (without attachments) provided to defense counsel on July 30, 2021.

Respectfully submitted,

Channing D. Phillips  
Acting U.S. Attorney  
D.C. Bar No. 415793

By: /s/ Leslie A. Goemaat  
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/s/ Justin Sher  
JUSTIN SHER  
D.C. Bar No. 974235  
Trial Attorney  
National Security Division  
United States Department of Justice

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have caused a copy of the foregoing motion to be served by electronic means, through the Court's CM/ECF system, upon all parties of record.

/s/ Leslie A. Goemaat

LESLIE A. GOEMAAT

Assistant United States Attorney



U.S. Department of Justice

Channing Phillips  
Acting United States Attorney

*District of Columbia*

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*Judiciary Center  
555 Fourth St., N.W.  
Washington, D.C. 20530*

July 30, 2021

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*Counsel for Lisa Eisenhart*

**BY EMAIL**

Re: *United States v. Eric Munchel and Lisa Eisenhart*  
Case No. 21-cr-118  
Volume 4 of Informal Discovery

Dear Counsel:

Please find enclosed a USAFx file entitled "Volume 4 (Informal) – July 30, 2021" containing Volume 4 of Informal Discovery, which includes the following 88 files:

Folder: Fast Track Volume 2 (Informal) (74 files)

Please note, all the materials in this folder are in the process of being formally produced with Bates numbers and load files.

This folder includes additional FBI reports and FBI TIES Reports (61 files) largely relating to public tips that were submitted to the FBI. Please note that we are in the

process of obtaining the media objects that are summarized in each of these TIES reports. These objects will be produced in Bates numbered and load ready files in the third volume of Fast Track discovery. If there are specific objects that you would like me to obtain prior to the third volume of Fast Track discovery, please advise me and I will endeavor obtain the specific item prior to the full production of all objects and to produce it in informal discovery.

This folder also includes the following videos:

Highly Sensitive (8 videos)

8 videos from U.S. Capitol Police and the Senate Floor

Sensitive (5 videos):

4 BWC videos<sup>1</sup> from inside of the U.S. Capitol

1 video entitled "Inside the 2021 Storming of the United States Capitol"

Folder: Seized Videos (Other Investigations)

This file includes videos that were seized during the course of other investigations and which I have determined may include footage of the above-named defendants.

These files will also be provided in Bates numbered and load ready files in the third volume of Fast Track discovery.

Sensitive (14 videos):

14 videos seized in the course of two other investigations of January 6 defendants<sup>2</sup>

Prior production of 12 Body Worn Camera videos from January 5, 2021

On June 22, 2021, Ms. Roland requested the BWC footage from the January 5, 2021 MPD encounter with Mr. Munchel. On June 28, 2021 and June 29, 2021, I sent you download links from evidence.com containing links to download 12 BWC videos from the January 5, 2021 MPD encounter with Mr. Munchel. Additionally, those 12 BWC videos will be contained in the third Fast Track discovery production.

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<sup>1</sup> The BWC videos are lengthy. I have reviewed the videos and identified Mr. Munchel and Mrs. Eisenhart descending down an adjacent stairwell at approximately 14:48 in each of the videos.

<sup>2</sup> Please note that based on my review of these videos, the above-mentioned defendants do not appear in all of these videos. However, out of an abundance of caution, if one of the above-mentioned defendants appeared in a video seized from a separate defendant, I have included all seized videos from that particular defendant, regardless of whether one of the above-mentioned defendants appeared in the video.

Summary of Prior Productions

For your convenience, I am summarizing the prior discovery productions in this matter:

<b>Production</b>	<b>Date</b>	<b>Number of Items</b>
Production of Detention Appeal Materials	March 3, 2021	12 items
Informal Discovery Volume 1	March 4, 2021	40 items seized from Mr. Munchel's cell phone
Informal Discovery Volume 2	March 9, 2021	147 search warrant photos
Image of Munchel's cell phone (offered to both counsel and provided to Federal Defenders Office)	March 29, 2021	1 image of cell phone seized from Mr. Munchel
Informal Discovery Volume 3	April 7, 2021	73 items
Fast Track Discovery Volume 1	May 24, 2021	5,461 items
Viewing Letter	July 13, 2021	Regarding 42 physical items
Informal Discovery Volume 4	July 30, 2021	88 items
Fast Track Discovery Volume 2	<i>In Production</i>	<i>Approximately 74 items</i>
Fast Track Discovery Volume 3	<i>TBD</i>	Will include January 5, 2021 BWC, TIES media objects, and comprehensive TIES reports

The materials are provided to you pursuant to the protective order entered in this case, ECF No. 68.

I recognize the government's discovery obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), its progeny, and Rule 16. I will provide timely disclosure if any such material comes to light. Consistent with *Giglio*, *Ruiz*, and 18 U.S.C. § 3500, I will provide information about government witnesses prior to trial and in compliance with the court's trial management order.

I request reciprocal discovery to the fullest extent provided by Rule 16 of the Federal Rules of Criminal Procedure, including results or reports of any physical or mental examinations, or scientific tests or experiments, and any expert witness summaries. I also request that defendant(s) disclose prior statements of any witnesses defendant(s) intends to call to testify at any hearing or trial. *See* Fed. R. Crim. P. 26.2; *United States v. Nobles*, 422 U.S. 255 (1975). I request that such material be provided on the same basis upon which the government will provide defendant(s) with materials relating to government witnesses.

Additionally, pursuant to Federal Rules of Criminal Procedure 12.1, 12.2, and 12.3, I request that defendant(s) provide the government with the appropriate written notice if defendant(s) plans to use one of the defenses referenced in those rules. Please provide any notice within the time period required by the Rules or allowed by the Court for the filing of any pretrial motions.

I will forward additional discovery as it becomes available. As always, if you have any questions, please feel free to contact me.

Sincerely,

/s/ Leslie A. Goemaat  
Leslie A. Goemaat  
Assistant United States Attorney  
202-803-1608

Enclosure(s)

Cc: Shirley Lewis, Federal Defender's Office  
Justin Sher, DOJ, National Security Section