## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :

:

v. : Case No. 21-CR-175 (TJK)

:

ETHAN NORDEAN, :

also known as "Rufio Panman,"

JOSEPH BIGGS,

ZACHARY REHL, and : CHARLES DONOHOE, :

ARLES DONOHOE,

:

Defendants. :

## GOVERNMENT'S NOTICE REGARDING DISCOVERY CORRESPONDENCE

The United States of America, by and through undersigned counsel, respectfully submits this notice of recent correspondence to defense counsel regarding discovery productions. Filed as attachments to this notice are three letters. The first reflects the production of certain media files capturing events on January 6, 2021, that were obtained by the government during its investigation. The second and third reflect "cross-discovery" from other cases—that is, discovery that is related to defendants not charged in this case but that is nonetheless relevant here. The attachments include the following:

Attachment	Date	Recipients and Content
		Counsel for All Defendants
1	9/21/2021	(hard drive with electronic media)
		Counsel for All Defendants
2	10/15/2021	(cross-discovery from U.S. v. Jackman et al., 21-cr-378)
		Counsel for All Defendants
3	10/20/2021	(cross discovery from U.S. v. Pezzola et al., 21-cr-52)

In addition to the above productions, the government has provided several detailed letters to all counsel regarding the government's efforts to provide discovery across all Capitol Riot cases, including descriptions of the materials that have been made available. That correspondence, which is not attached, includes the following:

Date	Materials Made Available	
	U.S. Capitol Police ("USCP") Closed Circuit Video (CCV)	
9/28/2021	USCP Office of Professional Responsibility (OPR) Records	
	Metropolitan Police Department (MPD) Internal Investigation Records	
10/5/2021	Additional USCP CCV	
10/3/2021	MPD Body-Worn-Camera (BWC) Footage	
	Additional USCP CCV	
	Interior U.S. Capitol Maps	
10/19/2021	Recordings of USCP Radio Communications (with draft transcripts)	
	Additional USCP OPR Records	
	MPD Radio Global Positioning Satellite (GPS) Records	
	U.S. Secret Service Surveillance Footage	
	Additional USCP CCV	
10/25/2021	Camera Map of U.S. Capitol Grounds	
	MPD Aerial Surveillance Images	
	Demonstration Permits Received by USCP	
	Audio Files of MPD Radio Transmissions (with transcript)	
10/29/2021	USCP After-Action Reports	
10/29/2021	Fairfax County Police BWC Footage	
	Montgomery County BWC Footage	

Additional information regarding the government's ongoing efforts to provide discovery across all Capitol riot cases was provided in the government's October 25, 2021, status report. *See* ECF 214.

Respectfully submitted,

CHANNING D. PHILLIPS Acting United States Attorney DC Bar No. 415793

By: /s/ Luke M. Jones

LUKE M. JONES, Virginia Bar 75053

ERIK M. KENERSON, Ohio Bar 82960

JASON B.A. MCCULLOUGH, DC Bar 998006

Assistant United States Attorneys

U.S. Attorney's Office for the District of Columbia 555 4th Street, N.W.

Washington, D.C. 20530

(202) 252-7066

Luke.Jones@usdoj.gov