

**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 eighth informal discovery letter (without attachments) provided to defense counsel on September 22, 2021.

Respectfully submitted,

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

By: /s/ Leslie A. Goemaat  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have caused a copy of the foregoing notice 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.  
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September 22, 2021

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**BY EMAIL**

Re: *United States v. Eric Munchel and Lisa Eisenhart*  
Case No. 21-cr-118  
Volume 8 of Informal Discovery, iCloud Search Warrant Response (Version 2)

Dear Counsel:

I have sent you or your designee an invitation to a USAFx folder titled "Volume 8 (Informal) – September 22, 2021." This is a second production of the entire un-scoped return from a search warrant on Mr. Munchel's iCloud account, previously provided in Volume 7. This folder includes 32 files, of which most are zip files. As you know, I previously produced the entire un-scoped return in Volume 7 on September 17, 2021. However, I am concerned that the downloads for Volume 7 may have been incomplete and so I asked the FBI, today, to re-transmit the search warrant return to me and I am, accordingly, reproducing these files in their entirety. You will note that some of files inside of the zip files are inaccessible; my understanding is that these are encrypted files that the investigative team has been unable to access. If and when those encrypted files are de-crypted, I will promptly provide them to you in discovery.

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>In Production</i>	Will include January 5, 2021 BWC, TIES media objects, and comprehensive TIES reports
Informal Discovery Volume 5	August 21, 2021	Contains January 5, 2021 BWC, Apple records, Apple search warrant materials, and media objects from FBI TIES/TTK reports.
Informal Discovery Volume 6	September 13, 2021	275 MB zip file containing records Bates-stamped CAPD_000000001 to CAPD_000000848, index in PDF format, and index in Excel format.
Informal Discovery Volume 7	September 17, 2021	Contains 142 files constituting the full un-scoped iCloud search warrant return.
Informal Discovery Volume 8	September 22, 2021	Contains 32 files (24 zip files) and constitutes a re-production of full un-scoped iCloud search warrant return.

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

Enclosure(s)

Cc: Shirley Lewis, Federal Defender's Office