

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

UNITED STATES OF AMERICA :
 :
 CRIMINAL NO. 21-cr-386 (TNM)
 v. :
 :
 PAULINE BAUER, :
 :
 Defendant. :

**GOVERNMENT’S RESPONSE TO DEFENDANT’S MOTION TO COMPEL
DISCLOSURE OF PLEA BARGAINS, PREFERENTIAL TREATMENT, AND
PROMISES TO GOVERNMENT WITNESSES**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this response to Defendant Pauline Bauer’s Motion To Compel Disclosure of Plea Bargains, Preferential Treatment, And Promises To Government Witnesses (the “Motion”) (ECF No. 143). In the Motion, Defendant seeks the production of *Giglio* material.

The Court has not yet set a scheduling order regarding identification of witnesses, and the Government continues to evaluate what witnesses it will call. As a result, it is premature to require the Government to produce *Giglio* information. Lastly, the Government’s *Giglio* obligations arise under the Constitution, so no Court order is required.

The Government is willing to agree to a scheduling order that sets forth deadlines for identification of witnesses and allows for a reasonable time period after that deadline to produce *Giglio* material. The Motion’s request for immediate production should be denied.

CONCLUSION

The Motion should be denied.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

By: /s/ James D. Peterson
JAMES D. PETERSON
Bar No. VA 35373
United States Department of Justice
1331 F Street N.W. 6th Floor
Washington, D.C. 20530
Desk: (202) 353-0796
James.d.peterson@usdoj.gov

s/ Joseph McFarlane
PA Bar No. 311698
United States Department of Justice
1400 New York Ave NW
Washington, D.C. 20005
Desk: (202) 514-6220
Mobile: (202) 368-6049
joseph.mcfarlane@usdoj.gov

CERTIFICATE OF SERVICE

I certify that a copy of the Government's Response was served on all counsel of record via the Court's electronic filing service.

/s/ Joseph McFarlane
JOSEPH MCFARLANE
Trial Attorney

Date: August 8, 2022