

**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 first formal “Fast Track” discovery letter (without attachments) provided to defense counsel on May 24, 2021.

Respectfully submitted,

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

By: /s/ Leslie A. Goemaat
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MA Bar No. 676695
Assistant United States Attorney
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Office: 202-803-1608
Email: Leslie.Goemaat@usdoj.gov

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 D. Phillips
Acting United States Attorney

District of Columbia

*Judiciary Center
555 Fourth St., N.W.
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May 24, 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 1 of Fast Track Discovery

Dear Counsel:

Enclosed as discovery in this case, please find one USAFx folder entitled "Fast Track Discovery Volume 1 – May 20, 2021," which contains 5,461 items. As further described in the provided index, the discovery includes surveillance footage, photos, FBI reports, TIES reports, search warrants, social media submitted through FBI tips, and other information. We have produced evidence seized from Defendant Munchel's cell phone pursuant to a search warrant to the FPD. Should counsel for Lisa Eisenhart also request a full forensic copy, please let me know.

If this production is being transmitted via USAfx, please be sure to download the entire folder, including all subfolders and files contained within the subfolders exactly as it was provided immediately upon receipt to your own storage media.

This production contains the following:

- A “PDF” folder containing the discovery in searchable PDF format.
- A “NATIVE” folder of documents that cannot be converted to PDFs such as audio/video recordings. Files that could not be converted to PDF will have a placeholder in the “PDF” folder that references the native file. You will find the referenced file by navigating to the corresponding Bates number in the NATIVE folder.
- An index of the production, provided in both Excel and Adobe PDF formats.

I have also provided the load files for creating a document review database (e.g., Relativity).

CJA panel counsel and Assistant Federal Public Defenders with technical discovery questions or those who need of assistance managing the discovery in this case can contact Kelly Scribner (kelly_scribner@fd.org) with the Defender Services Office - National Litigation Support Team. For retained counsel, while Ms. Scribner is not specifically tasked with assisting retained counsel, she is willing to talk with you about your discovery issues on a limited basis. However, the National Litigation Support Team typically cannot support retained defense counsel as the National Litigation Support Team is funded to assist CJA panel counsel and Federal Public Defender offices appointed through the CJA Act.

Due to the extraordinary nature of the January 6, 2021 Capitol Attack, the government anticipates that a large volume of materials may contain information relevant to this prosecution. These materials may include, but are not limited to, surveillance video, statements of similarly situated defendants, forensic searches of electronic devices and social media accounts of similarly situated defendants, and citizen tips. The government is working to develop a system that will facilitate access to these materials. In the meantime, please let me know if there are any categories of information that you believe are particularly relevant to your client.

The discovery is unencrypted. Please contact me if you have any issues accessing the information, and to confer regarding pretrial discovery as provided in Fed. R. Crim. P. 16.1.

This material is subject to the terms of the Protective Order issued in this case.

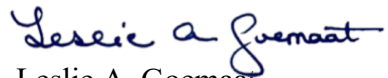
I recognize the government’s discovery obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), its progeny, and Rule 16. I will provide timely disclosure if any such material comes to light. Consistent with *Giglio, Ruiz*, and 18 U.S.C. § 3500, I will provide information about government witnesses 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. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Leslie A. Goemaat". The signature is written in a cursive, flowing style.

Leslie A. Goemaat
Assistant United States Attorney

Enclosures

cc: Mariela Andrade, United States Attorney's Office