



U.S. Department of Justice

Channing D. Phillips
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District of Columbia

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

August 3, 2021

BY EMAIL

David Bos
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Counsel for Tammy Bronsborg

William Welch III
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Counsel for Mark Aungst

Re: *United States v. Mark Aungst & Tammy Bronsborg*, 21-cr-144
Discovery Production 1

Dear Counsel:

In response to your request for discovery, and in the hopes of exploring a possible resolution of this matter in the future, we write to memorialize the discovery that we provided for download off of USAFx. This material is subject to the terms of the Protective Order issued in this case. **Materials in this production are designated Sensitive and Highly Sensitive under the Protective Order.**

The following materials were provided via email and USAfx on August 3, 2021:

- Viewing Letter for counsel to tour the U.S. Capitol;
- U.S. Capitol Floor Plan – First Floor;
- U.S. Capitol Floor Plan – Second Floor;
- U.S. Capitol Floor Plan – Third Floor.

The following materials were provided via USAFX on August 3, 2021:

- In subfolder labeled “No Sensitivity Designation”:
 - Image labeled “Bus ride” (1);
 - In subfolder labeled “Arrest Warrant Documents”:
 - Aungst Warrant;

- Aungst Bronsburg Affidavit;
- Aungst Bronsburg Complaint;
- Aungst Bronsburg Complaint Redacted;
- Aungst Bronsburg Order to Seal;
- Bronsburg Warrant;
- In subfolder – and designated under protected order as – “**HIGHLY SENSITIVE**”:
 - USCP CCTV video, file name beginning with “0102 USCS 01 Senate Wing Door”;
 - USCP CCT video, file name beginning with “0122 USCS 01 West Stairs”;
 - PDF labeled “USCP CCTV Video screenshots”;
- In subfolder – and designated under the protective order as – “**SENSITIVE**”:
 - Redacted Interview 1 (3 pages);
 - Redacted Interview 2 (2 pages);
 - Redacted Interview 3 (3 pages);
 - Redacted Interview 4 (3 pages);
 - Correction (to Interview 4) (1 page);
 - Sheetz Correction (1 page).

To the extent you have not already done so, please download all of these files as soon as possible from USAfx, as it is not a storage medium; rather, it is a file transfer method. The folder and its contents will expire within 60 days. Please advise me immediately if you have difficulty downloading the discovery folder. This early discovery is not a complete production, but rather preliminary discovery. We anticipate producing more fulsome discovery in the future. 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.

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.

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.

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

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For the District of Columbia

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