
From: Emily Lambert
Sent: Monday, April 24, 2023 12:13 PM
To: Jonathan Moseley; John Pierce; Roger Roots; Shahrzad Haddad; Samantha Miller" (USADC)
Subject: RE: Reciprocal Disco Request: USA v. THOMAS 21-cr-00552-DLF

Samantha,
I've been unable to access either mine or John's USAFx for some time and the two previous times I requested it to be reset did not seem to solve the issue. I can access Roger's but the file is not in his USAFx account. Can you reset John and I's accounts and send to Roger and we will download immediately. Thanks in advance.

Respectfully,
Em Lambert
Client Advocate
John Pierce Law
P: (662) 665-1061
21550 Oxnard Street
3rd Floor PMB #172
Woodland Hills, CA 91367



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From: [Jonathan Moseley](#)
Sent: Monday, April 24, 2023 12:09 PM
To: [John Pierce](#); [Roger Roots](#); [Emily Lambert](#); [Shahrzad Haddad](#); [Samantha Miller" \(USADC\)](#)
Subject: Re: Reciprocal Disco Request: USA v. THOMAS 21-cr-00552-DLF

Dear Ms. Miller:

Serving purely in a litigation support, paralegal capacity to help with the administrative details, I'd like to raise a few things:

First, when I was working on the Oath Keepers case and other cases, I found that USAfx has a very short time-out combined with very slow transmission speeds combined with an inability to resume a download from where it previously failed.

In December 2021, I attempted to download a large USAfx distribution - which as it turned out did not need to be combined into one gigantic transmission but could have been more easily sent and more easily downloaded as single video files rather than combination files -- about 2 dozen times due to the constant time-outs and data transmission rates. On my way back from Christmas with family I stayed at an expensive hotel for 2 days specifically to use their top-of-the-line WiFi and finally got the file downloaded. I think it was 50 gigabytes.

When I complained about this to Judge Mehta, the USAO responded by doubling the size of the next distribution to I think it was 100 gigabytes, which I documented for the court.

Now you are letting us know that the Government has encrypted the data as well, which I suspect is going to make continuous data transmissions more difficult because the computers won't know where the data stream stops and starts.

So I would really recommend the suggestion that I emailed separately that the John Pierce law firm (in town for trial) could drop off an external hard drive and merely have the data copied onto a portable hard drive. Perhaps your IT department would prefer to procure the hard drive through your trusted sources, which of course would be fine.

I hope that your Executive Officer might include in the Department's budget request for inclusion in the President's proposed budget an appropriation to completely replace the old-school USAfx system with a modern computer system. This is especially justifiable to Congress since it involves compliance with the constitutional requirements expressed under *Brady v. Maryland* and criminal convictions are subject to reversal if there is not the required disclosure.

Also, I found that some of the technical support for USAfx is extremely helpful but busy and hard to get a hold of quickly.

Can you ask them to make sure that the John Pierce law firm's account is properly LINKED to these particular folders?

In the past I found that if they are not linked the folders are invisible to the account and cannot be accessed.

Jon Moseley (703) 656-1230

From: John Pierce <jpierce@johnpiercelaw.com>

Sent: Monday, April 24, 2023 10:15 AM

To: Roger Roots <rroots@johnpiercelaw.com>; Emily Lambert <elambert@johnpiercelaw.com>;

Shahrzad Haddad <shaddad@johnpiercelaw.com>; Jonathan Moseley <jmoseley@johnpiercelaw.com>

Subject: FW: Reciprocal Disco Request: USA v. THOMAS 21-cr-00552-DLF

We should make sure to respond to this so they don't foreclose us from using anything.

From: Miller, Samantha (USADC) <Samantha.Miller@usdoj.gov>

Sent: Monday, April 24, 2023 8:52 AM

To: Roger Roots <rroots@johnpiercelaw.com>; John Pierce <jpierce@johnpiercelaw.com>; Emily Lambert <elambert@johnpiercelaw.com>

Cc: McCauley, Sean (USADC) <Sean.McCauley@usdoj.gov>; Rummens, Brianna (USADC) [Contractor] <Brianna.Rummens@usdoj.gov>

Subject: Reciprocal Disco Request: USA v. THOMAS 21-cr-00552-DLF

John,

Although Mr. Conte received a similar letter, which I'm sure he provided to you when you took over the case, attached please find a slightly updated discovery letter for this matter. Please note it contains reciprocal discovery and affirmative defense provisions. Please provide us with the requested materials/information as soon as possible.

Thank you,

Samantha

—

Samantha R. Miller

Assistant United States Attorney

United States Attorney's Office | District of Columbia

Email: samantha.miller@usdoj.gov

Desk Tel: (202) 252-7014

From: Miller, Samantha (USADC)
Sent: Monday, April 24, 2023 7:41 AM
To: 'Roger Roots' <rroots@johnpiercelaw.com>; 'John Pierce' <jpierce@johnpiercelaw.com>; 'Emily Lambert' <elambert@johnpiercelaw.com>
Cc: McCauley, Sean (USADC) <SMcCauley@usa.doj.gov>; Kozaczuk, Katarzyna (USADC) [Contractor] <KKozaczuk@usa.doj.gov>
Subject: URGENT: USA v. THOMAS 21-cr-00552-DLF: Discovery

John,

It does not appear anyone from your firm has downloaded the two case specific discovery productions referenced below. As I'm sure you know at this point, USAfx deletes files after 60 days, so this is just a friendly reminder to please download ASAP.

Thank you,

Samantha

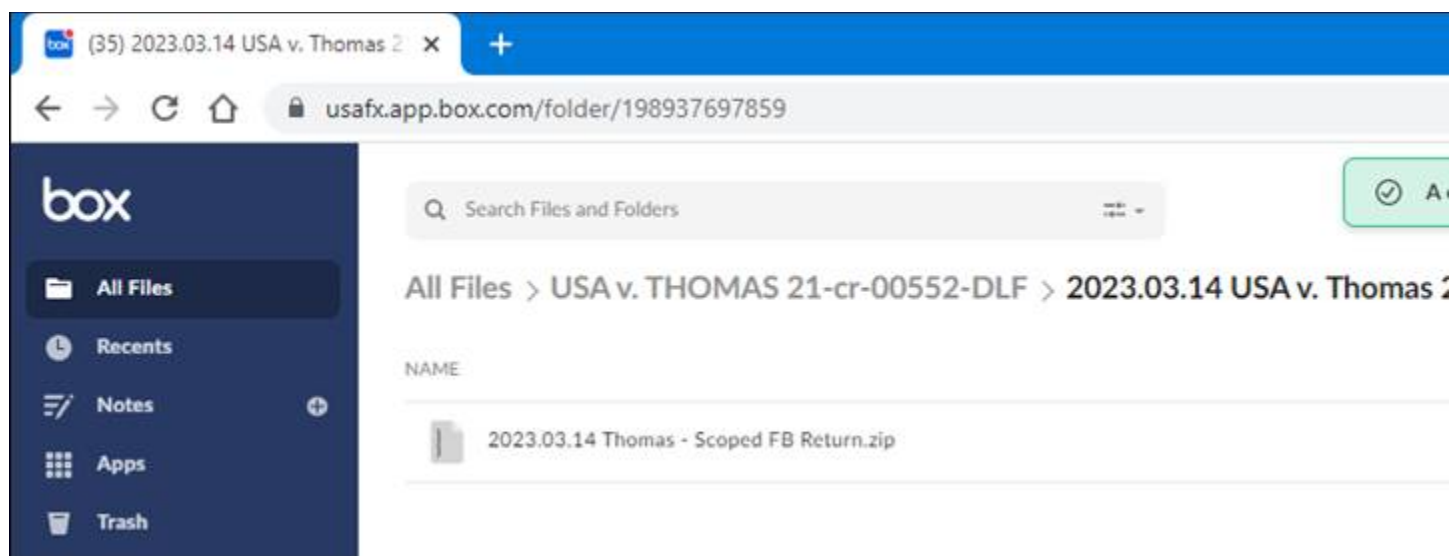
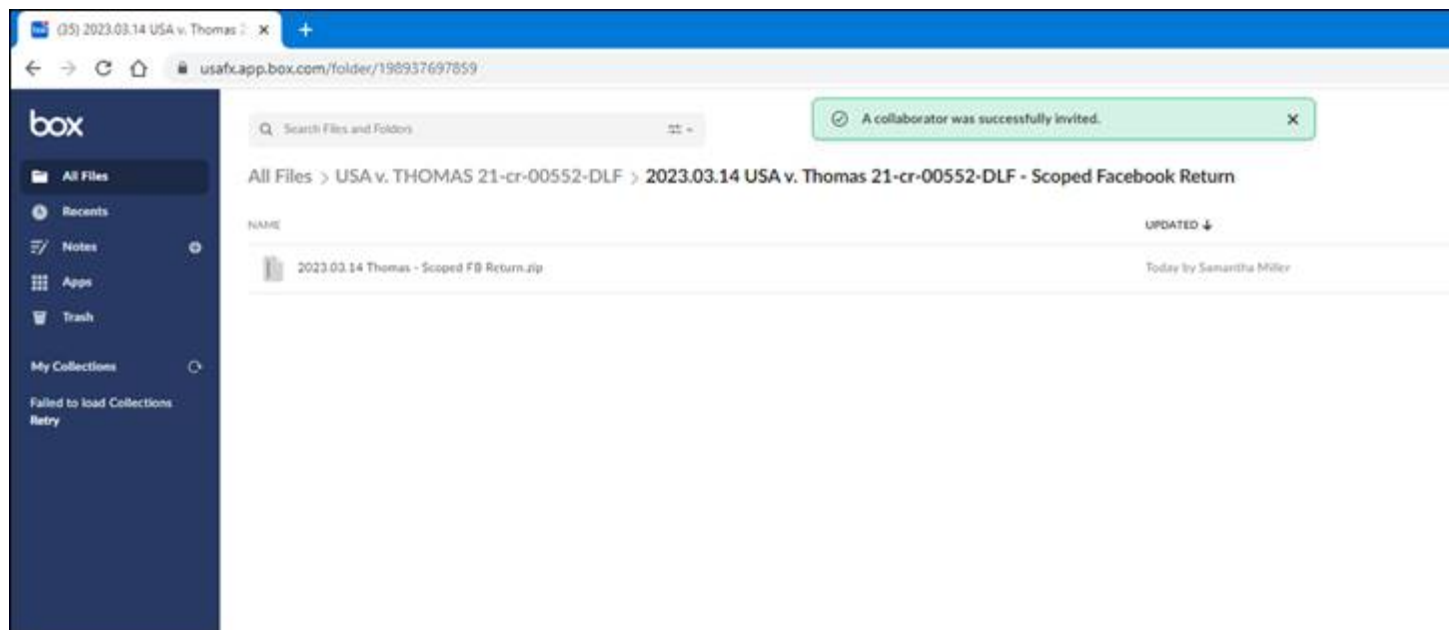
—

Samantha R. Miller
Assistant United States Attorney
United States Attorney's Office | District of Columbia
Email: samantha.miller@usdoj.gov
Desk Tel: (202) 252-7014

From: Miller, Samantha (USADC)
Sent: Tuesday, March 14, 2023 11:09 AM
To: 'Roger Roots' <rroots@johnpiercelaw.com>; 'John Pierce' <jpierce@johnpiercelaw.com>; 'Emily Lambert' <elambert@johnpiercelaw.com>
Cc: McCauley, Sean (USADC) <SMcCauley@usa.doj.gov>; Kozaczuk, Katarzyna (USADC) [Contractor] <KKozaczuk@usa.doj.gov>
Subject: RE: USA v. THOMAS 21-cr-00552-DLF: Discovery

Mssrs. Pierce and Roots,

I'm writing to notify you that we have just uploaded and shared additional discovery with you via USAfx. It does not appear our prior production has been downloaded, so please reply ASAP to confirm you are able to access both the prior production from my below email (2/28/2023) and this current one (3/14/2023).



Thank you,

Samantha

—

Samantha R. Miller
Assistant United States Attorney
United States Attorney's Office | District of Columbia
Email: samantha.miller@usdoj.gov
Desk Tel: (202) 252-7014

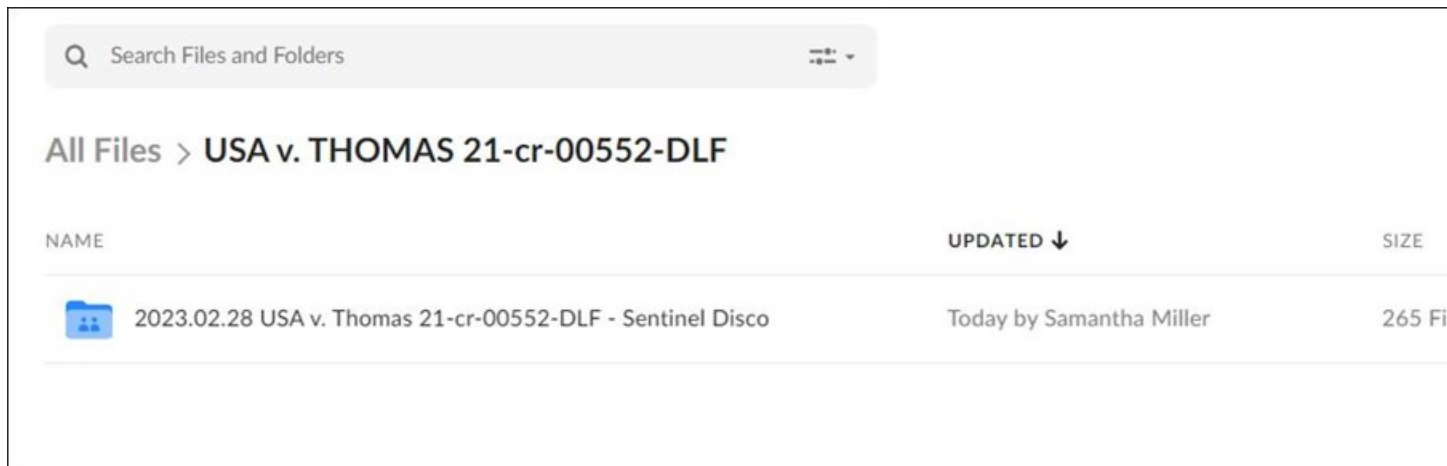
From: Miller, Samantha (USADC)
Sent: Tuesday, February 28, 2023 11:46 AM

To: Roger Roots <rroots@johnpiercelaw.com>; John Pierce <jpierce@johnpiercelaw.com>; Emily Lambert <elambert@johnpiercelaw.com>
Cc: McCauley, Sean (USADC) <SMcCauley@usa.doj.gov>; Kozaczuk, Katarzyna (USADC) [Contractor] <KKozaczuk@usa.doj.gov>
Subject: USA v. THOMAS 21-cr-00552-DLF: Discovery

Mssrs. Pierce and Roots,

I'm writing to notify you that we are endeavoring to provide you with (1) a duplicate copy of the case-specific discovery that was previously provided to defense counsel in this case, (2) any additional materials we have gathered during our investigation since you became substitute counsel in December 2022. Most of this can be accomplished through USAfx, however, we may also try to provide you with a jump drive if any of the files are too large.

One such production will be available to you shortly, which includes many of the FBI's files, like 302s, etc., which were previously provided. It includes documents, with families, numbered 089B-WF-3368293-214_AFO_0000001 - 89. It should show within the Thomas folder as "Sentinel Docs" and should include 265 files.



Thank you,

Samantha

—

Samantha R. Miller
 Assistant United States Attorney
 United States Attorney's Office | District of Columbia
 Email: samantha.miller@usdoj.gov
 Desk Tel: (202) 252-7014

From: Miller, Samantha (USADC)
Sent: Monday, February 6, 2023 1:27 PM
To: 'Roger Roots' <rroots@johnpiercelaw.com>; 'John Pierce' <jpierce@johnpiercelaw.com>; 'Emily Lambert' <elambert@johnpiercelaw.com>

Cc: McCauley, Sean (USADC) <SMcCauley@usa.doj.gov>; Kozaczuk, Katarzyna (USADC) [Contractor] <KKozaczuk@usa.doj.gov>

Subject: USA v. THOMAS 21-cr-00552-DLF: Hrg Dates and Speedy Trial

Mssrs. Pierce and Roots,

In addition to my below email re additional motions hearing dates, attached please find a draft motion to exclude time under the Speedy Trial Act. Per the Court's order, and because time is currently only excluded through today, assuming we hear back from you that you will not oppose, we plan to file this by end of day. The motion requests time be excluded until 5/14/23, the day prior to trial commencing.

Please let us know ASAP re (1) additional dates for the motions hearing, and (2) if we are authorized to file our motion as "unopposed." If we do not hear back from you by 430pm EST, we will plan to file without the "unopposed" language.

Thank you,

Samantha

—

Samantha R. Miller
Assistant United States Attorney
United States Attorney's Office | District of Columbia
Email: samantha.miller@usdoj.gov
Desk Tel: (202) 252-7014

From: Miller, Samantha (USADC)

Sent: Monday, February 6, 2023 9:48 AM

To: Roger Roots <rroots@johnpiercelaw.com>; John Pierce <jpierce@johnpiercelaw.com>; Emily Lambert <elambert@johnpiercelaw.com>

Cc: McCauley, Sean (USADC) <SMcCauley@usa.doj.gov>; Kozaczuk, Katarzyna (USADC) [Contractor] <KKozaczuk@usa.doj.gov>

Subject: RE: USA v. THOMAS 21-cr-00552-DLF: Global Production No. 24

Thanks, Mr. Roots. Do any other days that week also work, in case the Court is not available for the 27th?

Thanks,

Samantha

—

Samantha R. Miller
Assistant United States Attorney
United States Attorney's Office | District of Columbia
Email: samantha.miller@usdoj.gov
Desk Tel: (202) 252-7014

From: Roger Roots <rroots@johnpiercelaw.com>
Sent: Monday, February 6, 2023 9:14 AM
To: John Pierce <jpierce@johnpiercelaw.com>; Miller, Samantha (USADC) <SMiller1@usa.doj.gov>; Emily Lambert <elambert@johnpiercelaw.com>
Cc: McCauley, Sean (USADC) <SMcCauley@usa.doj.gov>; Kozaczuk, Katarzyna (USADC) [Contractor] <KKozaczuk@usa.doj.gov>
Subject: [EXTERNAL] RE: USA v. THOMAS 21-cr-00552-DLF: Global Production No. 24

Thanks Samantha:

March 27 should be good.

Respectfully,

Roger Roots

Partner-John Pierce Law

21550 Oxnard Street

3rd Floor PMB #172

Woodland Hills, CA 91367



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From: [John Pierce](#)
Sent: Monday, February 6, 2023 9:08 AM
To: [Miller, Samantha \(USADC\)](#); [Roger Roots](#); [Emily Lambert](#)
Cc: [McCauley, Sean \(USADC\)](#); [Kozaczuk, Katarzyna \(USADC\)](#) [Contractor]
Subject: RE: USA v. THOMAS 21-cr-00552-DLF: Global Production No. 24

Hey Samantha. I'm going to defer to Roger on this since he does our motion arguments.

From: Miller, Samantha (USADC) <Samantha.Miller@usdoj.gov>
Sent: Friday, February 3, 2023 7:15 AM
To: Roger Roots <rroots@johnpiercelaw.com>; John Pierce <jpierce@johnpiercelaw.com>; Emily Lambert <elambert@johnpiercelaw.com>
Cc: McCauley, Sean (USADC) <Sean.McCauley@usdoj.gov>; Kozaczuk, Katarzyna (USADC) [Contractor] <Katarzyna.Kozaczuk@usdoj.gov>
Subject: RE: USA v. THOMAS 21-cr-00552-DLF: Global Production No. 24

Mssrs. Pierce and Roots,

Per the court's order yesterday, we're writing to find a mutually agreeable date for the motions hearing. What is your availability the week of March 20 or 27?

Thank you,

Samantha

—

Samantha R. Miller
Assistant United States Attorney
United States Attorney's Office | District of Columbia
Email: samantha.miller@usdoj.gov
Desk Tel: (202) 252-7014

From: Miller, Samantha (USADC)
Sent: Thursday, February 2, 2023 9:16 AM
To: Roger Roots <rroots@johnpiercelaw.com>; John Pierce <jpierce@johnpiercelaw.com>; Emily Lambert <elambert@johnpiercelaw.com>
Cc: McCauley, Sean (USADC) <SMcCauley@usa.doj.gov>; Kozaczuk, Katarzyna (USADC) [Contractor] <KKozaczuk@usa.doj.gov>
Subject: RE: USA v. THOMAS 21-cr-00552-DLF: Global Production No. 24

Mr. Roots,

Given some planned leave on our side, if we're going to push the deadlines, we'd request the following revised motion schedule, which of course contemplates revising the currently scheduled Feb. 28 motions hearing:

- Motion deadline: Feb. 16
- Response deadline: March 2
- Replies deadline: March 9

If these revised dates work for you, please feel free to suggest them in your extension request.

Thank you,

Samantha

—
Samantha R. Miller
Assistant United States Attorney
United States Attorney's Office | District of Columbia
Email: samantha.miller@usdoj.gov
Desk Tel: (202) 252-7014

From: Roger Roots <rroots@johnpiercelaw.com>
Sent: Wednesday, February 1, 2023 9:47 PM
To: Miller, Samantha (USADC) <SMiller1@usa.doj.gov>; John Pierce <jpierce@johnpiercelaw.com>; Emily Lambert <elambert@johnpiercelaw.com>
Cc: McCauley, Sean (USADC) <SMcCauley@usa.doj.gov>; Kozaczuk, Katarzyna (USADC) [Contractor] <KKozaczuk@usa.doj.gov>
Subject: [EXTERNAL] RE: USA v. THOMAS 21-cr-00552-DLF: Global Production No. 24

Thanks so much Samantha,

We are just now looking at these videos for the first time and I don't believe Mr. Thomas has seen them. Would you oppose a 7 day extension of time to file our remaining pretrial motions?

Respectfully,

Roger Roots

Partner-John Pierce Law

21550 Oxnard Street

3rd Floor PMB #172

Woodland Hills, CA 91367



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From: [Miller, Samantha \(USADC\)](#)

Sent: Wednesday, February 1, 2023 10:16 AM

To: [John Pierce](#); [Roger Roots](#); [Emily Lambert](#)

Cc: [McCauley, Sean \(USADC\)](#); [Kozaczuk, Katarzyna \(USADC\) \[Contractor\]](#)

Subject: RE: USA v. THOMAS 21-cr-00552-DLF: Global Production No. 24

Ok, great. To be clear, we have uploaded the cell phone videos I discussed with Mr. Roots last week, but not the entirety of Mr. Thomas' cell phone videos. We also included, for ease of reference/case analysis, certain of the body-worn camera videos that show the assaults. Please note neither the cell phone video nor the body-worn camera video is exhaustive, but I hope it provides you with a good feel for the evidence.

Thank you,

Samantha

—

Samantha R. Miller

Assistant United States Attorney

United States Attorney's Office | District of Columbia

Email: samantha.miller@usdoj.gov

Desk Tel: (202) 252-7014

From: John Pierce <jpierce@johnpiercelaw.com>

Sent: Wednesday, February 1, 2023 8:46 AM

To: Miller, Samantha (USADC) <SMiller1@usa.doj.gov>; Roger Roots <rroots@johnpiercelaw.com>; Emily Lambert <elambert@johnpiercelaw.com>

Cc: McCauley, Sean (USADC) <SMcCauley@usa.doj.gov>; Kozaczuk, Katarzyna (USADC) [Contractor] <KKozaczuk@usa.doj.gov>

Subject: [EXTERNAL] RE: USA v. THOMAS 21-cr-00552-DLF: Global Production No. 24

Yes I am on box. I believe it is with this email.

Respectfully,

Emily Lambert

Client Advocate-John Pierce Law

P: 662-665-1061

21550 Oxnard Street

3rd Floor PMB #172

Woodland Hills, CA 91367



JOHN PIERCE LAW

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From: [Miller, Samantha \(USADC\)](#)

Sent: Wednesday, February 1, 2023 8:43 AM

To: [John Pierce](#); [Roger Roots](#); [Emily Lambert](#)

Cc: [McCauley, Sean \(USADC\)](#); [Kozaczuk, Katarzyna \(USADC\) \[Contractor\]](#)

Subject: RE: USA v. THOMAS 21-cr-00552-DLF: Global Production No. 24

Good Morning Ms. Lambert,

Yes, we can provide that to you via USAfx. I don't believe I saw you on USAfx, do you have an account? Please note that we're also preparing to provide you with the full discovery on the jump drive we previously received from Attorney Conte.

Thank you!

Samantha

—

Samantha R. Miller

Assistant United States Attorney

United States Attorney's Office | District of Columbia

Email: samantha.miller@usdoj.gov

Desk Tel: (202) 252-7014

From: John Pierce <jpierce@johnpiercelaw.com>

Sent: Wednesday, February 1, 2023 8:35 AM

To: Miller, Samantha (USADC) <SMiller1@usa.doj.gov>; Roger Roots <rroots@johnpiercelaw.com>; Emily Lambert <elambert@johnpiercelaw.com>

Cc: McCauley, Sean (USADC) <SMcCauley@usa.doj.gov>; Kozaczuk, Katarzyna (USADC) [Contractor] <KKozaczuk@usa.doj.gov>

Subject: [EXTERNAL] RE: USA v. THOMAS 21-cr-00552-DLF: Global Production No. 24

Good Morning Samantha,

Mr. Pierce and Mr. Roots were requesting the cell phone video of Mr. Thomas, but I find that I don't seem to have it. Could you please provide this to me? I greatly appreciate your assistance.

Respectfully,

Emily Lambert

Client Advocate-John Pierce Law

P: 662-665-1061

21550 Oxnard Street

3rd Floor PMB #172

Woodland Hills, CA 91367



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From: [Miller, Samantha \(USADC\)](#)
Sent: Thursday, January 26, 2023 1:43 PM
To: [John Pierce](#); [Roger Roots](#); [Emily Lambert](#)
Cc: [McCauley, Sean \(USADC\)](#); [Kozaczuk, Katarzyna \(USADC\) \[Contractor\]](#)
Subject: USA v. THOMAS 21-cr-00552-DLF: Global Production No. 24

Counsel,

I have shared with you through the USAfx system Global Discovery Production 24. Please let me know if you are unable to retrieve the items. As described in the attached letters, the only items being provided via USAfx are indexes of the documents produced to Relativity and evidence.com. If you have not received a notification from FPD about how to apply for the relevant licenses, you should email Shelli Peterson at Shelli_Peterson@fd.org.

Thank you,

Samantha

—

Samantha R. Miller
Assistant United States Attorney
United States Attorney's Office | District of Columbia
Email: samantha.miller@usdoj.gov
Desk Tel: (202) 252-7014