

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

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 21-cr-28 (APM)</b>
	:	
v.	:	
	:	
<b>BENNIE PARKER, LAURA STEELE, and MICHAEL GREENE,</b>	:	
	:	
<b>Defendants.</b>	:	
	:	
	:	

**GOVERNMENT’S OPPOSITION TO DEFENDANT MICAEL GREENE’S  
MOTIONS TO COMPEL DISCOVERY**

The defendants stand charged with participating in a plot to stop, hinder, or delay the Certification of the Electoral College vote on January 6, 2021, and to use force, intimidation, and violence to prevent members of Congress from discharging their duties that day, and then taking actions on January 6 to effect the goals of this conspiracy. Their trial is scheduled to begin on February 1, 2023. On December 16, 2022, Defendant Michael Greene filed two motions to compel discovery: (1) in ECF No. 787, Defendant Greene moved to compel the government to “reveal any agreement entered into between any co-defendant, co-conspirator or any other person in this case and any officer or agent of the Federal or State Government;” and (2) in ECF No. 788, Defendant Greene moved the Court to “unseal” any sealed or redacted discovery materials. Defendants Laura Steele and William Isaacs have joined both of these motions. ECF Nos. 796, 800. Defendant Bennie Parker has joined just the motion to compel production of redacted information. ECF No. 795.

These motions should be denied as moot. The government has already provided in discovery the cooperation agreements and related paperwork for cooperating defendants and

information regarding certain confidential human sources utilized by the Federal Bureau of Investigation in the course of this case and its related cases. Any remaining *Giglio* information for the witnesses the government anticipates calling at trial will be provided by the final Jencks/*Brady*/*Giglio* deadline of January 18, 2022. Thus, there is no dispute on this issue for the Court to resolve at this time.

With respect to the request for unredacted discovery materials, at the outset, the government takes issue with the defense's assertion that the discovery provided in this case "significant redactions of materials favorable to the Defendant's defense." ECF No. 788 at 1. By and large, the government provided discovery in this case in *unredacted* form and opted instead to turn over materials unredacted but to designate materials as "sensitive" or "highly sensitive" under the terms of the Court's Protective Order where materials contained sensitive information that raised privacy or witness security concerns.

Further, the government does not know what materials the defense is referencing. Defendant Greene made no effort to first raise this issue with the government and request unredacted materials from the government. Thus, Defendant Greene's motion violates this Court's Local Rule requiring that the parties meet and confer to attempt to resolve discovery disputes before raising them with the Court. *See* LCrR 16.1, *available at* [https://www.dcd.uscourts.gov/sites/dcd/files/local\\_rules/Local%20Rules%20May\\_2022\\_0.pdf](https://www.dcd.uscourts.gov/sites/dcd/files/local_rules/Local%20Rules%20May_2022_0.pdf) ("No discovery motion shall be heard unless it states that defense counsel has previously requested that the information sought from the attorney for the United States and that such attorney has not complied with the request."). The government respectfully requests that this Court deny Defendant Greene's motion as moot and direct Defendant Greene to inform the government of the unredacted materials he is seeking.

