

# EXHIBIT 1



**U.S. Department of Justice  
United States Attorney  
Northern District of Georgia**

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May 7, 2019

Paul G. Cassell, Esq.  
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Salt Lake City, UT 84112  
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Re: Doe v. United States, Case No. 9:08-CV-80736-KAM

Dear Mr. Cassell:

Thank you for your letter of May 2, 2019. I write to clarify a few issues raised in your letter in advance of our call on May 9.

While we understand your position regarding prior efforts by the U.S. Attorney's Office for the Southern District of Florida to communicate with victims, my office has expressed our intention to speak with victims in this matter from the outset of our designation. In our first letter to you on March 6, 2019, we noted our commitment to having a "full and open discussion with you and your clients" and "ensuring that we hear and understand your clients' concerns." And in my letter on April 30, 2019, I expressed our desire to confer with each victim in person, if the victim wishes to do so, and invited your clients to confer with us in person. In short, our commitment to confer with victims has been, and will remain, firm.

While we appreciate your statement that you "are *not* opposed to giving the Government time to confer with any victims about this case," this claim appears to be inconsistent with your opposition to the government's request for time to do precisely that. Your letter explains your opposition to this request by pointing to past acts by a different office at a different time with a different procedural posture.

As you know, the Court granted an extension for the government to review the voluminous pleadings in this matter and to confer with you regarding a proposed schedule to determine an appropriate remedy. We have worked diligently on that task, including multiple discussions with you regarding an appropriate schedule in accordance with the Court's order. In light of the purpose of this extension, your suggestion that the government "has had enough time to confer" with victims during this time does not align with what the Court ordered us to do. Nor do we agree with your suggestion that your proposed schedule of requiring the

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government to propose a remedy within two weeks of a scheduling order gives the government "more than enough" time to speak with victims.

As explained in my letter of April 30, 2019, we believe it is vital to confer with victims before proposing a remedy that may have a profound impact on their lives. The necessity of this step seems all the more apparent after we learned that you have consulted with only a subset of the victims, particularly when the parties agree that victims are likely to hold varying opinions about an appropriate remedy, including victims who are likely to oppose rescission of the non-prosecution agreement (NPA). The victims' diverse voices and concerns deserve to be heard as the Court is undertaking the difficult task of crafting an appropriate remedy.

To that end, I repeat my desire to confer with your clients in person. We are considering all remedies that you have previously proposed in briefing, including rescission of the NPA. Given that consideration, I invite your clients to share with me directly their thoughts about how the government should handle every aspect of this matter, both in civil and potential criminal proceedings. If they have specific concerns or views about how the government should proceed if the NPA were not in place, I want to hear them.

We also have been considering your suggestion for a mediation. As you know, our proposed schedule contemplates a mediation between the parties, which would take place after the parties have briefed their positions on potential remedies. We think the mediation will be most productive if the parties have a clear understanding about what each side is willing to consider prior to meeting.

We look forward to discussing this issue further on Thursday.

Sincerely,



BYUNG J. PAK  
United States Attorney