

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
) No. 07 CR 379
v.)
) Judge Ruben Castillo
JAMES C. BREWER)

DEFENDANT JAMES C. BREWER'S STATEMENT OF COMPLIANCE
WITH LOCAL CRIMINAL RULE 16.1

Defendant JAMES C. BREWER, by the Federal Defender Program and its attorney, ROBERT D. SEEDER, pursuant to Local Criminal Rule 16.1 states as follows:

1. The government made delivery of its 16.1 material to defense counsel on July 17, 2007.
2. The delivery was from Assistant United States Attorney Rick Young.
3. Specifically, the government has provided various documents including the following:
 - - Documents Bates numbered 1-661 that contain F.B.I. reports of investigation, forensic analysis reports regarding the examinations of Mr. Brewer's computer, as well as computers operated by the Cook County Bureau of Health Services (CCBHS), telephone records, copies of applications and affidavits requesting search warrants, as well as other miscellaneous records.
4. The government has provided what it maintains are all statements of the defendant in its possession.
5. The government has provided four discs, two of which contain "digital materials"

gathered and captured by the investigating agents in the course of the investigation. The last two discs contain various electronic materials gathered via subpoena during the governments investigation.

6. The government has agreed to duplicate the hard drive of Mr. Brewer's computer that was confiscated in the investigation, as well as duplicate the hard drives obtained by the government from the CCBHS in its investigation, for purposes of forensic examination by an expert retained by the defense.

7. The government and Mr. Brewer have agreed that the requisite Rule 16 disclosures pertaining to the testimony of experts at trial be made no later than four weeks prior to trial.

8. The government has informed Mr. Brewer that it does not anticipate the introduction of any Rule 404(b) evidence or co-conspirator statements. However, should the government change its position on either of those matters, it would provide notice to Mr. Brewer three weeks prior to trial. Additionally, the government has agreed to produce § 3500 material three weeks prior to trial.

9. The government has informed defense counsel that it is recognizes its obligations under *Brady v. Maryland*, 373 U.S. 83 (1973), and should any exculpatory evidence for the defendant become known to the government, it would immediately make it available to the defendant.

10. The government has instructed the case agent to ensure that the written notes of government agents in this case are preserved.

Respectfully submitted,

FEDERAL DEFENDER PROGRAM
Terence F. MacCarthy
Executive Director

BY: s Robert D. Seeder
Robert D. Seeder

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CERTIFICATE OF SERVICE

The undersigned, Robert D. Seeder, an attorney with the Federal Defender Program hereby certifies that in accordance with FED.R.CIV.P5, LR5.5, and the General Order on Electronic Case Filing (ECF), the following document:

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was served pursuant to the district court's ECF system as to ECF filings, if any, and were sent by first-class mail/hand delivery on August 17, 2007, to counsel/parties that are non-ECF filers:

By: s/Robert D. Seeder
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