

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

CRIMINAL NO. 07-103

VERSUS

SECTION "L" MAG. (5)

JAMES G. PERDIGAO

VIOLATION: 18 USC 1341,
1344, 2314, 1957 & 2, 26
USC 7201 & 7206 (1)

**MOTION FOR PRODUCTION OF EVIDENCE FAVORABLE TO THE
DEFENDANT AND DOCUMENTS FURNISHED TO THE COURT IN CAMERA**

NOW INTO COURT, through undersigned counsel, comes defendant James Perdigao who hereby moves the Court for an order to the government, including every agency thereof to produce to the court and defendant evidence in their possession which is exculpatory, impeachment or favorable to the defendant or which may affect the issues of guilt and innocence including:

- a. Disclosure of all documents and communications with the court furnished in camera;
- b. The disclosure of the identity of any possible witness(es) for the government who has been indicted or charged by a bill of information which indictment or bill of information has been sealed together with copies of said bill of information, indictment or other documents in relation thereto including partial or full immunity grants; and,
- c. The disclosure of the identity of any current or former attorney or employee of Adams and Reese, LLP, that may be a witness in this case

or who has been interviewed by the U.S. Attorney's Office or by FBI agents as a possible witness who has agreed to plead guilty to any crime or who has been given partial or full immunity as well as all documents relative thereto such as plea agreements, transcripts or notes of interviews.

Defendant is entitled to the above and foregoing documentation under *Brady v. Maryland*, 373 U.S. 83, 83 S.2d 1194, 101 L.Ed. 215 (1963); *Giglio v. U.S.*, 405 U.S. 150, 92 S.Ct 763, 31 L.Ed.2d 104 (1973).

**WESSEL & ASSOCIATES
A LAW CORPORATION**

/s/ William F. Wessel
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and

/s/ Charles F. Griffin
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**ATTORNEYS FOR
DEFENDANT
JAMES PERDIGAO**

CERTIFICATE OF SERVICE

I hereby certify that on **September 26, 2008** I electronically filed the above and foregoing pleading with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to counsel registered with the court for receipt of pleadings by e-mail. I also certify that the foregoing and all attachments thereto have been served on all counsel of record by facsimile, electronic mail and/or by depositing same in the United States Mail, properly addressed and postage prepaid, this 26th day of September, 2008.

/s/ William F. Wessel
WILLIAM F. WESSEL (8551)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

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**MEMORANDUM IN SUPPORT OF MOTION FOR PRODUCTION OF
EVIDENCE FAVORABLE TO THE DEFENDANT AND DOCUMENTS
FURNISHED TO THE COURT IN CAMERA**

MAY IT PLEASE THE COURT:

This memorandum is respectfully submitted by defendant James Perdigao, through undersigned counsel, in support of his motion for an order to the government, including every agency thereof to produce to the court and defendant evidence in their possession which is exculpatory, impeachment or favorable to the defendant or which may affect the issues of guilt and innocence including:

- a. Disclosure of all documents and communications with the court furnished in camera;
- b. The disclosure of the identity of any possible witness(es) for the government who has been indicted or charged by a bill of information which indictment or bill of information has been sealed together with copies of said bill of information, indictment or other documents in relation thereto including partial or full immunity grants; and,

- c. The disclosure of the identity of any current or former attorney or employee of Adams and Reese, LLP, that may be a witness in this case or who has been interviewed by the U.S. Attorney's Office or by FBI agents as a possible witness who has agreed to plead guilty to any crime or who has been given partial or full immunity as well as all documents relative thereto such as plea agreements, transcripts or notes of interviews.

Defendant is entitled to the above and foregoing documentation under *Brady v. Maryland*, 373 U.S. 83, 83 S.2d 1194, 101 L.Ed. 215 (1963); *Giglio v. U.S.*, 405 U.S. 150, 92 S.Ct 763, 31 L.Ed.2d 104 (1973). Defendant reserves the right to supplement this memorandum in the event that plaintiff disputes defendant's entitlement to the above-referenced disclosures.

**WESSEL & ASSOCIATES
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/s/ William F. Wessel
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/s/ William F. Wessel
WILLIAM F. WESSEL (8551)

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NOTICE OF HEARING

To: James R. Mann, AUSA
U.S. Attorney's Office
Hale Boggs Building
500 Poydras Street, Suite B-210
New Orleans, LA 70130

PLEASE TAKE NOTICE that the Motion for Production of Evidence Favorable to the Defendant and Documents Furnished to the Court in Camera filed by defendant, James Perdigao, through undersigned counsel, will be brought for hearing before the Honorable Alma L. Chasez, United States Magistrate Judge, 500 Poydras Street, New Orleans, Louisiana 70130 at 12:00 p.m. on October 29, 2008, or at such other date and time as may be set by the court.

**WESSEL & ASSOCIATES
A LAW CORPORATION**

/s/ William F. Wessel

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and

/s/ Charles F. Griffin
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/s/ William F. Wessel
WILLIAM F. WESSEL (8551)