

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA * **CRIMINAL NO. 07-103**
VERSUS * **SECTION: "L" (5)**
JAMES G. PERDIGAO *
a/k/a Jamie Perdigao *
* * *

**GOVERNMENT'S SUPPLEMENTAL RESPONSE TO
JAMES G. PERDIGAO'S MOTION TO AUTHORIZE THE
ISSUANCE OF SUBPOENAS DUCES TECUM PURSUANT TO RULE 17(c)**

NOW INTO COURT comes the United States of America, appearing herein by and through the undersigned Assistant United States Attorneys who respectfully supplement our response to the defendant's Rule 17(c) motion.

In light of the recent developments regarding the complaint and arrest of the defendant involving his illegal computer intrusions and attempts to obstruct justice in an official proceeding by stealing documents belonging to his former firm, Adams & Reese, the government wishes to supplement its opposition to the defendant's Rule 17(c) motion.

Pursuant to a search warrant executed in the above referenced computer intrusion, the government seized the defendant's computer as well as two computers belonging to Adams & Reese. Thus far, the FBI has found a bevy of stolen files in the defendant's computer belonging

to the victim Adams & Reese. Thus, the government's initial review of these stolen files compared to the defendant's request for Rule 17(c) subpoena reveals stunning similarities. The government submits that the defendant's request for Rule 17(c) subpoenas, particularly to Adams & Reese, was just a ruse by the defendant in order to attempt to legitimize and authenticate his already illegally obtained Adams & Reese stolen files. The government's analysis here is that Perdigao has already prepared pre-trial motions and was preparing for trial by utilizing these stolen documents for an official proceeding, *U. S. v. Perdigao*, Criminal Docket No. 07-103 "L", and possibly at his civil proceeding as well in *James G. Perdigao v. Adams & Reese, L.L.P., et al*, Civil Action Number 08-3570 "L".

The government advises the Honorable Court that the review of the seized items pursuant to the search warrant is still ongoing. The government has learned that some of the seized documents from the search warrant from the defendant's seized computer reveal, among many other documents, that the defendant had in his possession were the following:

- (1) Correspondence between the United States Attorney's Office and Adams & Reese;
- (2) Copies of Adams & Reese notes of meetings with the United States Attorney's Office;
- (3) A copy of a grand jury subpoena issued to Adams & Reese by the government;
- (4) A copy of an agreement between the FBI and Adams & Reese pursuant to the grand jury subpoena that was issued to Adams & Reese.
- (5) Lists of Adams & Reese personnel social security numbers, salary schedules, and computer user names.

Due to this new discovery of evidence, the government respectfully requests that the Court allow the government to supplement its response and to not allow the defendant to benefit

from his illegal access wherein he obtained stolen documents from Adams & Reese. Finally, the government further requests that Perdigao's attorneys not have access to these stolen documents as it is shockingly similar to their request for the same documents they have requested in their motion to issue their Rule 17(c) subpoena to Adams & Reese.

Respectfully submitted,

JIM LETTEN
UNITED STATES ATTORNEY

s/ James R. Mann
JAMES R. MANN (20513)
Assistant U.S. Attorney
james.mann@usdoj.gov

SALVADOR PERRICONE (10515)
Assistant U.S. Attorney

BRIAN M. KLEBBA
Assistant U.S. Attorney
Hale Boggs Federal Building
500 Poydras St., Suite B-210
New Orleans, LA 70130
504/680-3000

CERTIFICATE OF SERVICE

I hereby certify that on October 24, 2008, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to the following: William F. Wessel, attorney for defendant. I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-CM/ECF participant: Charles Griffin, attorney for defendant.

s/ James R. Mann
JAMES R. MANN
Assistant U.S. Attorney