



U.S. Department of Justice

United States Attorney
Northern District of Georgia

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Atlanta, Georgia 30303*

May 4, 2012

Robert G. Bernhoft
The Bernhoft Law Firm, S.C.
1220 Colorado Street, Suite 440
Austin, Texas 78701
VIA U.S. mail

Re: United States v. Marchelletta,
1:07-CR-107-TCB

Dear Mr. Bernhoft:

I write in response to your discovery request number 2, which requests all grand jury subpoenas issued by the government relating to the criminal investigations of Circle and the Marchellettas. I am aware of no authority that requires me to provide copies of grand jury subpoenas as part of discovery in a criminal case. Nevertheless, in the continued spirit of cooperation, I am enclosing copies of grand jury subpoenas related to this investigation. Those documents are numbered TK00219 – TK00415.

As you know, this investigation dates back many years and many attorneys. I have made a good faith effort to provide you with as complete a set as possible. But, it is nothing more than that -- a good faith effort. I pulled these copies from our internal file, and I have no reason to believe that file is incomplete, with the exception of one subpoena discussed below. Given my time on this case and the fact that the issuing attorneys are no longer employed with this office, I cannot represent that this production constitutes every subpoena ever issued. I can simply represent that I have no reason to believe it is anything but complete, and that I have provided you with copies of each subpoena in the file.

That being said, there is one subpoena indicated in our electronic records for which I could not find a hard copy. Our electronic records indicate a subpoena issued to "Eagle Managed Contractors, Inc. Formerly Known as L.A. Contractors, Inc." on

January 24, 2005. You will see enclosed a copy of a subpoena issued that same date to "Custodian of Record Eagle Managed SubContractors, Inc Formerly Known as L.A. Contractors, Inc." I do not know if there actually were two subpoenas, but I note for you the discrepancy between our electronic records and what I located in our file.

If you have any questions, please feel free to call me at (404) 581-6048.

Sincerely,

SALLY QUILLIAN YATES
UNITED STATES ATTORNEY

A handwritten signature in blue ink, appearing to read "C. Bly", with a long, sweeping underline that extends to the right.

CHRISTOPHER C. BLY
ASSISTANT U.S. ATTORNEY

cc: Jerome J. Froelich (with enclosure)