

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	CR No. 21-28-7
)	Washington, D.C.
vs.)	March 16, 2021
)	2:00 p.m.
LAURA STEELE,)	
)	
Defendant.)	
_____)	

TRANSCRIPT OF ARRAIGNMENT VIA ZOOM PROCEEDINGS
BEFORE THE HONORABLE AMIT P. MEHTA
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government:	Jeffrey S. Nestler Alexandra Hughes U.S. ATTORNEY'S OFFICE 555 Fourth Street, NW Washington, D.C. 20530 (202) 252-7277 Email: jeffrey.nestler@usdoj.gov Email: Alexandra.Hughes@usdoj.gov
For the Defendant:	Peter A. Cooper PETER A. COOPER 400 5th Street, NW Suite 350 Washington, D.C. 20001 (202) 400-1431 pcooper@petercooperlaw.com

APPEARANCES CONTINUED:

Pretrial Officer: Christine Schuck

Court Reporter: William P. Zaremba
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Proceedings recorded by mechanical stenography; transcript
produced by computer-aided transcription

1 P R O C E E D I N G S

2 COURTROOM DEPUTY: Good afternoon, Your Honor.
3 This is Criminal Case No. 21-28-7, the United States of
4 America versus Laura Steele.

5 Jeffrey Nestler and Alexandra Hughes for the
6 government.

7 Peter Cooper on behalf of the defense.

8 The defendant's appearing via videoconference for
9 this hearing.

10 THE COURT: Okay. Good afternoon to everybody.
11 Ms. Steele, good afternoon to you. Can you hear
12 me okay?

13 THE DEFENDANT: Yes.

14 THE COURT: Is that a "yes," ma'am?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Okay. Very good.

17 All right. So we're here this afternoon for
18 Ms. Steele's arraignment and then to just sort of discuss
19 next steps. So why don't we start with the arraignment and
20 I'll turn things over to Mr. Douyon.

21 COURTROOM DEPUTY: And may the record reflect that
22 the defense has received a copy of the superseding
23 indictment.

24 Does the defense wish to waive the formal reading
25 of the superseding indictment?

1 MR. COOPER: Yes, Your Honor.

2 At this time, we waive formal reading and enter a
3 plea of not guilty, assert Fifth and Sixth Amendment rights
4 (audio disconnected) proceedings.

5 And we would like to address detention at this
6 point in time, pretrial detention, so I'll leave that up to
7 the Court as to when that would be appropriate to make those
8 arguments.

9 THE COURT: Our court reporter is shaking his
10 head, Mr. Cooper, which I take to mean --

11 COURT REPORTER: He cut in and out so bad.

12 THE COURT: Yeah, you cut and in out.

13 But I think I heard you, and let me make sure --
14 I can recite what he said.

15 You've waived a formal reading, entered pleas of
16 not guilty to each and every count of the indictment,
17 asserted your client's claims under the Constitution, and
18 indicated you wanted to talk about bond review at some
19 point; is that correct?

20 MR. COOPER: That's correct, yes, Your Honor.

21 If I'm still cutting in and out, I can switch to
22 the phone if that would help.

23 THE COURT: It may help, because even just now,
24 you were cutting and in and out. So if you would do that,
25 that would be helpful.

1 MR. COOPER: Hello?

2 THE COURT: Okay. Much better, Mr. Cooper.

3 All right. Meanwhile, we'll have the record
4 reflect the entry of not-guilty pleas as to each count of
5 the indictment.

6 Let's talk about next steps.

7 And before we do that, Mr. Nestler, I ought to
8 just let you know and make this disclosure as I have in
9 other cases in which Mr. Cooper is counsel: Mr. Cooper and
10 I were colleagues at the Public Defender Service many years
11 ago, I think we overlapped there for the full number of
12 years I was there, from 2002 to 2007. We've certainly seen
13 each other since, though -- in group occasions, but never in
14 sort of a one-on-one social setting. So I just wanted the
15 government to be aware of that connection for your
16 information. You can do with that information what you
17 think is appropriate.

18 Okay. So let's talk about next steps.

19 First and foremost, Mr. Cooper, we have a date and
20 time of April the 6th at 3:30 for our next status hearing in
21 this case. I'm trying to get all the defendants on the same
22 schedule. And so I think nearly all of them were set down
23 for April the 6th at 3:30. Is that a time that works for
24 you, Mr. Cooper?

25 MR. COOPER: Yes, it is, Your Honor.

1 THE COURT: Okay. Good.

2 So we will have to figure out, in advance of the
3 6th, exactly how we'll do this, because we've got different
4 defendants who are -- who can appear on different platforms.
5 And so if we can get everybody together, all the better, but
6 that may not be possible. And, frankly, from a logistical
7 standpoint, it may make sense to split up what will be ten
8 defendants by that point just for ease of administration.
9 So there's that.

10 Secondly, Mr. Cooper and Mr. Nestler, have you all
11 had an initial exchange of discovery with respect to
12 Ms. Steele?

13 MR. NESTLER: Yes, Your Honor. The government has
14 uploaded to our USAfx discovery exchange platform several
15 pieces of discovery related to Ms. Steele and her
16 co-defendants and invited Mr. Cooper to that folder.

17 We haven't yet made a formal discovery production
18 with a letter, we're still working on that, to try to
19 encompass and incapsulate all materials we've given to all
20 different defense counsel, and we're hoping to get that out
21 to all defense counsel in the near future.

22 THE COURT: All right. So that process has begun
23 for Mr. Cooper.

24 Next, Mr. Cooper, you should be aware, if you're
25 not, I think you're already -- you've made an appearance, so

1 you would be aware of this by Minute Order, but the
2 government has filed a complex-case motion and sought to
3 exclude time under the Speedy Trial Act because this is a
4 complex case. And I think I set a due date for that
5 response or any oppositions to be filed by tomorrow,
6 I believe. So I just wanted you to be aware of that and
7 remind you of that deadline.

8 And then finally -- well, before we get to
9 "finally," let me ask either side if there's anything else
10 you want to raise. Mr. Cooper, we can talk about bond in a
11 moment. But other than the issues I've identified and the
12 issues that you all may have -- well, let me turn it to you
13 if there are any other issues you want to address this
14 afternoon.

15 MR. NESTLER: On behalf of the government --

16 MR. COOPER: To me, Your Honor?

17 MR. NESTLER: Go ahead, Mr. Cooper. No.
18 Go ahead.

19 MR. COOPER: No, no. I'm sorry. I've got a delay
20 on the phone, so I spoke up. I'm sorry. So please go
21 ahead.

22 MR. NESTLER: The only issue we would raise,
23 Your Honor, was filing a motion under the Speedy Trial Act.
24 We can do that at the conclusion of the hearing. There's
25 nothing else of substance to address.

1 THE COURT: All right. We'll take care of that at
2 the end.

3 Mr. Cooper, anything on your end?

4 MR. COOPER: Other than the bond issue, no,
5 Your Honor.

6 THE COURT: All right.

7 So let's talk bond.

8 I mean, look, Mr. Cooper, if your thought was that
9 we would -- I could raise this -- I could deal with this
10 today, I think that's not realistic without written papers.
11 I've certainly received written pleadings with respect to
12 all the defendants. And I think it's helpful and, frankly,
13 fair to do that just because every defendant is situated
14 slightly differently, and I want to make sure I have all the
15 facts before me and don't want to be rushed to a decision
16 based on less than a full record.

17 I'm happy to do this on an expedited basis, as
18 I have been doing with all the defendants in this case. So,
19 Mr. Cooper, if you can give me a date by which you could
20 file your bond-review motion, and we could set a deadline
21 for the government's opposition.

22 MR. COOPER: 19th, Your Honor, this Friday?

23 THE COURT: That's fine, the 19th.

24 And if the government can file something by the
25 24th, Mr. Nestler?

1 MR. NESTLER: Yes, Your Honor, that's fine.

2 THE COURT: Okay.

3 Actually, Mr. Nestler, I'm going to move that up
4 to the -- well, I think the 24th.

5 And then we'll have our bond-review hearing on the
6 26th. That's just about ten days off. So perhaps not as
7 quickly as you all might have hoped, Mr. Cooper, but I think
8 that's about as fast as we can get this done and give
9 everybody an opportunity to be heard on the issues.

10 Are you all available -- well, I guess the
11 question is: What do we know about availability with the
12 Durham -- well, let's put a pause on scheduling for one
13 moment.

14 But, Mr. Nestler, do have any further information
15 about Ms. Steele's status and her transport to D.C.?

16 MR. NESTLER: I do not, Your Honor. The marshals
17 have not given us any additional information about her
18 transportation.

19 THE COURT: All right.

20 Well, what I would hate to have happen is that
21 she's picked up between now and the bond-review hearing and
22 then just gets lost in the transport for some period of
23 time.

24 So what I'm going to do is sort of accelerate
25 this.

1 And, JC, is there a way we can ask the marshals
2 not to transport her until the bond-review issue is
3 resolved?

4 COURTROOM DEPUTY: I could make a request with my
5 contact at the Durham facility.

6 THE COURT: Okay.

7 Well, maybe you can do that, as well as make that
8 request with our Marshals Service, to the extent that they
9 put in some kind of request, because, like I said, I don't
10 want this briefing to start and then they pick her up next
11 week and God knows when she'll actually arrive in D.C.

12 So let's do the following. Mr. Cooper, can you
13 actually get your motion to me by the 18th? Is that
14 possible?

15 MR. COOPER: Yes, Your Honor, I can do that.

16 THE COURT: Okay.

17 And if you can do that, I'll set the government's
18 deadline for the 22nd, and we can have our hearing on the
19 23rd.

20 And I think we're going to -- can we tentatively
21 set 10:30 for that hearing?

22 MR. NESTLER: That's fine for the government,
23 Your Honor.

24 MR. COOPER: 10:30, I can do that, Your Honor.

25 THE COURT: Okay.

1 So I know that's a quick turnaround, but, like I
2 said, I want to -- I feel like we're racing against the
3 clock a little bit here.

4 You know what, let's do this: Instead of the
5 23rd, let's do the 24th at 10:30, just because my schedule
6 on the 23rd is a little complicated. So let's do the 24th
7 at 10:30, if everybody is available.

8 MR. NESTLER: Yes, Your Honor.

9 THE COURT: And I'll just ask the government to
10 just file by the 22nd, even if it's after the close of
11 business, that's fine, because it will give me all day on
12 the 23rd to review the parties' papers.

13 So the detention hearing will be on the 24th at
14 10:30. That's somewhat tentative, because we do need to
15 make sure that we can connect with the Durham facility at
16 that time. So if we have any trouble with that time and
17 date, we will let you all know to reschedule, but let's at
18 least lock in 10:30 on the 24th, okay?

19 MR. NESTLER: Yes, Your Honor.

20 THE COURT: All right.

21 MR. COOPER: Yes, Your Honor.

22 THE COURT: All right.

23 MR. NESTLER: Yes, Your Honor.

24 THE COURT: So in terms of speedy trial,
25 Mr. Cooper, have you talked to your client about speedy

1 trial and whether she's prepared to waive through the next
2 date, which in this case is at least through April the 6th?

3 MR. COOPER: We have had some issues with
4 communication with the Durham facility, Your Honor.

5 I have spoke briefly with Ms. Steele about
6 speedy-trial issues in general.

7 With respect to waiving the status until the next
8 hearing in a few days, I don't think we would have a problem
9 with that, given the gravity of the issue with adjusting the
10 bond.

11 THE COURT: Okay.

12 So let's at least -- we're going to get back
13 together on the 24th. So we'll exclude time between
14 tomorrow and through the 24th.

15 I'm expecting a motion, that'll toll the time, but
16 we'll exclude time between tomorrow and the 24th in the
17 interests of justice, which I do think outweigh the
18 interests of the defendant and the public in a speedy trial;
19 and specifically, to exclude time both to get discovery --
20 to continue to get discovery out to the defendant and her
21 counsel to tee up the detention issue.

22 In addition, time is excluded under the current
23 standing order, in light of the pandemic and the
24 difficulties of having a trial.

25 I think time is also, frankly, probably tolled

1 right now because there is a pending motion to exclude time,
2 by the government, that's unresolved. So it may, frankly,
3 even be that the clock hasn't started. But in any event --
4 and it may not have -- actually, the clock may have not
5 started yet, because the last of these defendants still
6 hasn't appeared before me in this conspiracy.

7 So anyway, for all those reasons, it's likely,
8 one, that the time hasn't started with respect to this
9 defendant; and, two, in any event, I'll exclude time through
10 the 24th for the reasons I've already stated, okay?

11 All right. With that, is there anything else
12 anybody wants to raise this afternoon?

13 MR. NESTLER: Your Honor, not related to
14 Ms. Steele, but one of her co-defendants, Connie Meggs,
15 there may have been some confusion last week when her
16 husband's counsel, who's also her counsel, appeared before
17 you. I don't believe we set a date for her detention
18 hearing. I didn't know if Your Honor was intending to do
19 that around the same time as Ms. Steele's detention hearing.

20 I believe Your Honor had initially said that the
21 government's response to the bond-review motion would be due
22 tomorrow, which would be March 17th, and I don't know if
23 that date had been accelerated. I know there was some --
24 potentially some confusion at the hearing last Friday.

25 Our intention is to still to file by tomorrow, if

1 that's okay with Your Honor.

2 THE COURT: Yeah. No, I think the schedule we set
3 for Ms. Meggs -- and I'm sorry, Ms. Cooper and Ms. Steele --
4 is still as it was.

5 MR. NESTLER: Okay.

6 THE COURT: I think it certainly may have been
7 just the result of -- it wasn't clear to me where she lived;
8 I guess she's still in Florida.

9 Once those papers have been filed, we'll try and
10 figure out whether we can hold a video hearing with the
11 Florida facility and get that scheduled as soon as we can,
12 okay?

13 MR. NESTLER: Understood.

14 We'll have our opposition filed tomorrow,
15 Your Honor.

16 THE COURT: All right. Very good.

17 All right. With that, is there anything else,
18 folks?

19 MR. COOPER: Not for me, Your Honor. No, thank
20 you.

21 MR. NESTLER: And not from the government,
22 Your Honor.

23 THE COURT: All right. Very good.

24 Thank you, all, very much.

25 (Proceedings concluded at 2:19 p.m.)

C E R T I F I C A T E

I, William P. Zaremba, RMR, CRR, certify that the foregoing is a correct transcript from the record of proceedings in the above-titled matter.

Please note: This hearing occurred during the COVID-19 pandemic and is therefore subject to the technological limitations of court reporting remotely.

Date: April 8, 2021 /S/ William P. Zaremba

William P. Zaremba, RMR, CRR

<p>COURT REPORTER: [1] 4/11</p> <p>COURTROOM DEPUTY: [3] 3/2 3/21 10/4</p> <p>MR. COOPER: [13] 4/1 4/20 5/1 5/25 7/16 7/19 8/4 8/22 10/15 10/24 11/21 12/3 14/19</p> <p>MR. NESTLER: [14] 6/13 7/15 7/17 7/22 9/1 9/16 10/22 11/8 11/19 11/23 13/13 14/5 14/13 14/21</p> <p>THE COURT: [26]</p> <p>THE DEFENDANT: [2] 3/13 3/15</p>	<p>7</p> <p>7277 [1] 1/15</p> <p>A</p> <p>about [11] 4/18 5/6 5/18 7/10 9/6 9/8 9/11 9/15 9/17 11/25 12/5</p> <p>above [1] 15/4</p> <p>above-titled [1] 15/4</p> <p>accelerate [1] 9/24</p> <p>accelerated [1] 13/23</p> <p>Act [2] 7/3 7/23</p> <p>actually [4] 9/3 10/11 10/13 13/4</p> <p>addition [1] 12/22</p> <p>additional [1] 9/17</p> <p>address [3] 4/5 7/13 7/25</p> <p>adjusting [1] 12/9</p> <p>administration [1] 6/8</p> <p>advance [1] 6/2</p> <p>after [1] 11/10</p> <p>afternoon [6] 3/2 3/10 3/11 3/17 7/14 13/12</p> <p>against [1] 11/2</p> <p>ago [1] 5/11</p> <p>ahead [3] 7/17 7/18 7/21</p> <p>aided [1] 2/8</p> <p>Alexandra [2] 1/13 3/5</p> <p>Alexandra.Hughes [1] 1/17</p> <p>all [29]</p> <p>All right [3] 8/6 9/19 14/23</p> <p>already [2] 6/25 13/10</p> <p>also [2] 12/25 13/16</p> <p>Amendment [1] 4/3</p> <p>AMERICA [2] 1/3 3/4</p> 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15/5</p> <p>E</p> <p>each [3] 4/16 5/4 5/13</p> <p>ease [1] 6/8</p> <p>either [1] 7/9</p> <p>else [4] 7/9 7/25 13/11 14/17</p> <p>Email [2] 1/16 1/17</p> <p>encompass [1] 6/19</p> <p>end [2] 8/2 8/3</p> <p>enter [1] 4/2</p> <p>entered [1] 4/15</p> <p>entry [1] 5/4</p> <p>even [3] 4/23 11/10 13/3</p> <p>event [2] 13/3 13/9</p> <p>every [2] 4/16 8/13</p> <p>everybody [4] 3/10 6/5 9/9 11/7</p> <p>exactly [1] 6/3</p> <p>exchange [2] 6/11 6/14</p> <p>exclude [6] 7/3 12/13 12/16 12/19 13/1 13/9</p> <p>excluded [1] 12/22</p> <p>expecting [1] 12/15</p> <p>expedited [1] 8/17</p> <p>extent [1] 10/8</p> <p>F</p> <p>facility [4] 10/5 11/15 12/4 14/11</p> <p>facts [1] 8/15</p> <p>fair [1] 8/13</p> <p>fast [1] 9/8</p> <p>feel [1] 11/2</p> <p>few [1] 12/8</p> <p>Fifth [1] 4/3</p> <p>figure [2] 6/2 14/10</p> <p>file [4] 8/20 8/24 11/10 13/25</p> <p>filed [4] 7/2 7/5 14/9 14/14</p> <p>filing [1] 7/23</p>
<p>/</p> <p>/S [1] 15/10</p> <p>1</p> <p>10:30 [6] 10/21 10/24 11/5 11/7 11/14 11/18</p> <p>1431 [1] 1/21</p> <p>16 [1] 1/5</p> <p>17th [1] 13/22</p> <p>18th [1] 10/13</p> <p>19 [1] 15/6</p> <p>19th [2] 8/22 8/23</p>				
<p>2</p> <p>20001 [2] 1/20 2/6</p> <p>2002 [1] 5/12</p> <p>2007 [1] 5/12</p> <p>202 [3] 1/15 1/21 2/6</p> <p>2021 [2] 1/5 15/10</p> <p>20530 [1] 1/15</p> <p>21-28-7 [2] 1/4 3/3</p> <p>22nd [2] 10/18 11/10</p> <p>23rd [4] 10/19 11/5 11/6 11/12</p> <p>24th [10] 8/25 9/4 11/5 11/6 11/13 11/18 12/13 12/14 12/16 13/10</p> <p>252-7277 [1] 1/15</p> <p>26th [1] 9/6</p> <p>2:00 [1] 1/6</p> <p>2:19 [1] 14/25</p>				
<p>3</p> <p>3249 [1] 2/6</p> <p>333 [1] 2/5</p> <p>350 [1] 1/20</p> <p>354-3249 [1] 2/6</p> <p>3:30 [2] 5/20 5/23</p>				
<p>4</p> <p>400 [1] 1/19</p> <p>400-1431 [1] 1/21</p> <p>5</p> <p>555 [1] 1/14</p> <p>5th [1] 1/19</p>				
<p>6</p> <p>6th [4] 5/20 5/23 6/3</p>				

Case 1:21-cr-00228-APM Document 672 Filed 04/23/21 Page 17 of 18			17
F	13/19 13/24 14/10 15/5 finally [2] 7/8 7/9 fine [4] 8/23 9/1 10/22 11/11 First [1] 5/19 Florida [2] 14/8 14/11 folder [1] 6/16 folks [1] 14/18 following [1] 10/12 foregoing [1] 15/3 foremost [1] 5/19 formal [4] 3/24 4/2 4/15 6/17 Fourth [1] 1/14 frankly [4] 6/6 8/12 12/25 13/2 Friday [2] 8/22 13/24 full [2] 5/11 8/16 further [1] 9/14 future [1] 6/21	Hello [1] 5/1 help [2] 4/22 4/23 helpful [2] 4/25 8/12 her [10] 6/15 9/15 9/17 10/2 10/10 12/20 13/14 13/15 13/16 13/17 here [2] 3/17 11/3 his [1] 4/9 hold [1] 14/10 Honor [26] HONORABLE [1] 1/10 hoped [1] 9/7 hoping [1] 6/20 how [1] 6/3 Hughes [2] 1/13 3/5 husband's [1] 13/16	it [10] 4/23 5/25 6/7 7/12 11/11 13/2 13/4 14/4 14/6 14/7 it's [3] 8/12 11/10 13/7
G	I I believe [2] 7/6 13/20 I can [4] 4/14 4/21 10/15 10/24 I didn't know [1] 13/18 I don't [1] 13/17 I don't think [1] 12/8 I guess [1] 14/8 I have [4] 5/8 8/14 8/18 12/5 I just [2] 5/14 7/6 I know [2] 11/1 13/23 I mean [1] 8/8 I think [11] 5/11 6/25 7/4 8/10 8/12 9/4 9/7 10/20 12/25 14/2 14/6 I want [1] 8/14 I was [1] 5/12 I'll [5] 3/20 4/6 10/17 11/9 13/9 I'm [9] 4/21 5/21 7/19 7/20 8/17 9/3 9/24 12/15 14/3 I'm going [2] 9/3 9/24 I'm sorry [1] 7/19 I've [4] 7/11 7/19 8/11 13/10 identified [1] 7/11 incapsulate [1] 6/19 indicated [1] 4/18 indictment [4] 3/23 3/25 4/16 5/5 information [4] 5/16 5/16 9/14 9/17 initial [1] 6/11 initially [1] 13/20 Instead [1] 11/4 intending [1] 13/18 intention [1] 13/25 interests [2] 12/17 12/18 invited [1] 6/16 is [28] is that correct [1] 4/19 is there [3] 10/1 13/11 14/17 issue [5] 7/22 8/4 10/2 12/9 12/21 issues [6] 7/11 7/12	J JC [1] 10/1 Jeffrey [2] 1/13 3/5 jeffrey.nestler [1] 1/16 JUDGE [1] 1/10 just [13] 3/18 4/23 5/8 5/14 6/8 7/6 8/13 9/6 9/22 11/5 11/9 11/10 14/7 justice [1] 12/17	mean [2] 4/10 8/8 Meanwhile [1] 5/3 mechanical [1] 2/7 Meggs [2] 13/14 14/3 MEHTA [1] 1/10 Merit [1] 2/3 might [1] 9/7 Minute [1] 7/1 moment [2] 7/11 9/13 motion [7] 7/2 7/23 8/20 10/13 12/15 13/1 13/21 move [1] 9/3 Mr [2] 4/10 7/10 Mr. [22] Mr. Cooper [16] Mr. Douyon [1] 3/20 Mr. Nestler [5] 5/7 6/10 8/25 9/3 9/14 Ms. [11] 3/11 3/18 6/12 6/15 9/15 12/5 13/14 13/19 14/3 14/3 14/3 Ms. Cooper [1] 14/3 Ms. Meggs [1] 14/3 Ms. Steele [6] 3/11 6/12 6/15 12/5 13/14 14/3 Ms. Steele's [3] 3/18 9/15 13/19 much [2] 5/2 14/24 my [2] 10/4 11/5
H	had [4] 6/11 12/3 13/20 13/23 happen [1] 9/20 happy [1] 8/17 has [4] 3/22 6/13 6/22 7/2 hasn't [3] 13/3 13/6 13/8 hate [1] 9/20 have [25] haven't [1] 6/17 having [1] 12/24 he [2] 4/11 4/14 head [1] 4/10 hear [1] 3/11 heard [2] 4/13 9/9 hearing [14] 3/9 5/20 7/24 9/5 9/21 10/18	K kind [1] 10/9 know [8] 5/8 9/11 11/1 11/4 11/17 13/18 13/22 13/23 knows [1] 10/11	near [1] 6/21 nearly [1] 5/22 need [1] 11/14 Nestler [7] 1/13 3/5 5/7 6/10 8/25 9/3 9/14 never [1] 5/13 next [8] 3/19 5/6 5/18 5/20 6/24 10/10 12/1 12/7 no [8] 1/4 3/3 7/17 7/19 7/19 8/4 14/2 14/19 not [15] 4/3 4/16 5/4 6/6 6/25 8/10 9/6 9/16 9/17 10/2 13/4 13/4 13/13 14/19 14/21 not-guilty [1] 5/4 note [1] 15/5 nothing [1] 7/25 now [3] 4/23 9/21 13/1 number [1] 5/11 NW [3] 1/14 1/19 2/5
opportunity [1] 9/9 opposition [2] 8/21 14/14 oppositions [1] 7/5 order [2] 7/1 12/23 other [5] 5/9 5/13 7/11 7/13 8/4 ought [1] 5/7 our [8] 4/9 5/20 6/14 9/5 10/8 10/18 13/25 14/14 out [8] 4/11 4/12 4/21 4/24 6/2 6/20 12/20 14/10 outweigh [1] 12/17 over [1] 3/20 overlapped [1] 5/11	L last [3] 13/5 13/15 13/24 LAURA [2] 1/6 3/4 least [3] 11/18 12/2 12/12 leave [1] 4/6 less [1] 8/16 let [5] 4/13 5/8 7/9 7/12 11/17 let's [10] 5/6 5/18 8/7 9/12 10/12 11/4 11/5 11/6 11/17 12/12 letter [1] 6/18 light [1] 12/23 like [4] 4/5 10/9 11/1 11/2 likely [1] 13/7 limitations [1] 15/7 little [2] 11/3 11/6 lived [1] 14/7 lock [1] 11/18 logistical [1] 6/6 look [1] 8/8 lost [1] 9/22	Mr. [22] Mr. Cooper [16] Mr. Douyon [1] 3/20 Mr. Nestler [5] 5/7 6/10 8/25 9/3 9/14 Ms. [11] 3/11 3/18 6/12 6/15 9/15 12/5 13/14 13/19 14/3 14/3 14/3 Ms. Cooper [1] 14/3 Ms. Meggs [1] 14/3 Ms. Steele [6] 3/11 6/12 6/15 12/5 13/14 14/3 Ms. Steele's [3] 3/18 9/15 13/19 much [2] 5/2 14/24 my [2] 10/4 11/5	
P	believe [2] 7/6 13/20 can [4] 4/14 4/21 10/15 10/24 didn't know [1] 13/18 don't [1] 13/17 don't think [1] 12/8 guess [1] 14/8 have [4] 5/8 8/14 8/18 12/5 just [2] 5/14 7/6 know [2] 11/1 13/23 mean [1] 8/8 think [11] 5/11 6/25 7/4 8/10 8/12 9/4 9/7 10/20 12/25 14/2 14/6 want [1] 8/14 was [1] 5/12 I'll [5] 3/20 4/6 10/17 11/9 13/9 I'm [9] 4/21 5/21 7/19 7/20 8/17 9/3 9/24 12/15 14/3 I'm going [2] 9/3 9/24 I'm sorry [1] 7/19 I've [4] 7/11 7/19 8/11 13/10 identified [1] 7/11 incapsulate [1] 6/19 indicated [1] 4/18 indictment [4] 3/23 3/25 4/16 5/5 information [4] 5/16 5/16 9/14 9/17 initial [1] 6/11 initially [1] 13/20 Instead [1] 11/4 intending [1] 13/18 intention [1] 13/25 interests [2] 12/17 12/18 invited [1] 6/16 is [28] is that correct [1] 4/19 is there [3] 10/1 13/11 14/17 issue [5] 7/22 8/4 10/2 12/9 12/21 issues [6] 7/11 7/12	M ma'am [1] 3/14 made [2] 6/17 6/25 make [8] 4/7 4/13 5/8 6/7 8/14 10/4 10/7 11/15 many [1] 5/10 March [2] 1/5 13/22 marshals [3] 9/16 10/1 10/8 materials [1] 6/19 matter [1] 15/4 may [10] 3/21 4/23 6/6 6/7 7/12 13/2 13/4 13/4 13/15 14/6 maybe [1] 10/7 me [12] 3/12 4/13 7/9 7/12 7/16 8/15 8/19 10/13 11/11 13/6 14/7	occasions [1] 5/13 occurred [1] 15/5 off [1] 9/6 OFFICE [1] 1/14 Officer [1] 2/2 Official [1] 2/4 okay [16] Once [1] 14/9 one [5] 5/14 5/14 9/12 13/8 13/14 only [1] 7/22
opportunity [1] 9/9 opposition [2] 8/21 14/14 oppositions [1] 7/5 order [2] 7/1 12/23 other [5] 5/9 5/13 7/11 7/13 8/4 ought [1] 5/7 our [8] 4/9 5/20 6/14 9/5 10/8 10/18 13/25 14/14 out [8] 4/11 4/12 4/21 4/24 6/2 6/20 12/20 14/10 outweigh [1] 12/17 over [1] 3/20 overlapped [1] 5/11	believe [2] 7/6 13/20 can [4] 4/14 4/21 10/15 10/24 didn't know [1] 13/18 don't [1] 13/17 don't think [1] 12/8 guess [1] 14/8 have [4] 5/8 8/14 8/18 12/5 just [2] 5/14 7/6 know [2] 11/1 13/23 mean [1] 8/8 think [11] 5/11 6/25 7/4 8/10 8/12 9/4 9/7 10/20 12/25 14/2 14/6 want [1] 8/14 was [1] 5/12 I'll [5] 3/20 4/6 10/17 11/9 13/9 I'm [9] 4/21 5/21 7/19 7/20 8/17 9/3 9/24 12/15 14/3 I'm going [2] 9/3 9/24 I'm sorry [1] 7/19 I've [4] 7/11 7/19 8/11 13/10 identified [1] 7/11 incapsulate [1] 6/19 indicated [1] 4/18 indictment [4] 3/23 3/25 4/16 5/5 information [4] 5/16 5/16 9/14 9/17 initial [1] 6/11 initially [1] 13/20 Instead [1] 11/4 intending [1] 13/18 intention [1] 13/25 interests [2] 12/17 12/18 invited [1] 6/16 is [28] is that correct [1] 4/19 is there [3] 10/1 13/11 14/17 issue [5] 7/22 8/4 10/2 12/9 12/21 issues [6] 7/11 7/12	near [1] 6/21 nearly [1] 5/22 need [1] 11/14 Nestler [7] 1/13 3/5 5/7 6/10 8/25 9/3 9/14 never [1] 5/13 next [8] 3/19 5/6 5/18 5/20 6/24 10/10 12/1 12/7 no [8] 1/4 3/3 7/17 7/19 7/19 8/4 14/2 14/19 not [15] 4/3 4/16 5/4 6/6 6/25 8/10 9/6 9/16 9/17 10/2 13/4 13/4 13/13 14/19 14/21 not-guilty [1] 5/4 note [1] 15/5 nothing [1] 7/25 now [3] 4/23 9/21 13/1 number [1] 5/11 NW [3] 1/14 1/19 2/5	
opportunity [1] 9/9 opposition [2] 8/21 14/14 oppositions [1] 7/5 order [2] 7/1 12/23 other [5] 5/9 5/13 7/11 7/13 8/4 ought [1] 5/7 our [8] 4/9 5/20 6/14 9/5 10/8 10/18 13/25 14/14 out [8] 4/11 4/12 4/21 4/24 6/2 6/20 12/20 14/10 outweigh [1] 12/17 over [1] 3/20 overlapped [1] 5/11	believe [2] 7/6 13/20 can [4] 4/14 4/21 10/15 10/24 didn't know [1] 13/18 don't [1] 13/17 don't think [1] 12/8 guess [1] 14/8 have [4] 5/8 8/14 8/18 12/5 just [2] 5/14 7/6 know [2] 11/1 13/23 mean [1] 8/8 think [11] 5/11 6/25 7/4 8/10 8/12 9/4 9/7 10/20 12/25 14/2 14/6 want [1] 8/14 was [1] 5/12 I'll [5] 3/20 4/6 10/17 11/9 13/9 I'm [9] 4/21 5/21 7/19 7/20 8/17 9/3 9/24 12/15 14/3 I'm going [2] 9/3 9/24 I'm sorry [1] 7/19 I've [4] 7/11 7/19 8/11 13/10 identified [1] 7/11 incapsulate [1] 6/19 indicated [1] 4/18 indictment [4] 3/23 3/25 4/16 5/5 information [4] 5/16 5/16 9/14 9/17 initial [1] 6/11 initially [1] 13/20 Instead [1] 11/4 intending [1] 13/18 intention [1] 13/25 interests [2] 12/17 12/18 invited [1] 6/16 is [28] is that correct [1] 4/19 is there [3] 10/1 13/11 14/17 issue [5] 7/22 8/4 10/2 12/9 12/21 issues [6] 7/11 7/12	near [1] 6/21 nearly [1] 5/22 need [1] 11/14 Nestler [7] 1/13 3/5 5/7 6/10 8/25 9/3 9/14 never [1] 5/13 next [8] 3/19 5/6 5/18 5/20 6/24 10/10 12/1 12/7 no [8] 1/4 3/3 7/17 7/19 7/19 8/4 14/2 14/19 not [15] 4/3 4/16 5/4 6/6 6/25 8/10 9/6 9/16 9/17 10/2 13/4 13/4 13/13 14/19 14/21 not-guilty [1] 5/4 note [1] 15/5 nothing [1] 7/25 now [3] 4/23 9/21 13/1 number [1] 5/11 NW [3] 1/14 1/19 2/5	
opportunity [1] 9/9 opposition [2] 8/21 14/14 oppositions [1] 7/5 order [2] 7/1 12/23 other [5] 5/9 5/13 7/11 7/13 8/4 ought [1] 5/7 our [8] 4/9 5/20 6/14 9/5 10/8 10/18 13/25 14/14 out [8] 4/11 4/12 4/21 4/24 6/2 6/20 12/20 14/10 outweigh [1] 12/17 over [1] 3/20 overlapped [1] 5/11	believe [2] 7/6 13/20 can [4] 4/14 4/21 10/15 10/24 didn't know [1] 13/18 don't [1] 13/17 don't think [1] 12/8 guess [1] 14/8 have [4] 5/8 8/14 8/18 12/5 just [2] 5/14 7/6 know [2] 11/1 13/23 mean [1] 8/8 think [11] 5/11 6/25 7/4 8/10 8/12 9/4 9/7 10/20 12/25 14/2 14/6 want [1] 8/14 was [1] 5/12 I'll [5] 3/20 4/6 10/17 11/9 13/9 I'm [9] 4/21 5/21 7/19 7/20 8/17 9/3 9/24 12/15 14/3 I'm going [2] 9/3 9/24 I'm sorry [1] 7/19 I've [4] 7/11 7/19 8/11 13/10 identified [1] 7/11 incapsulate [1] 6/19 indicated [1] 4/18 indictment [4] 3/23 3/25 4/16 5/5 information [4] 5/16 5/16 9/14 9/17 initial [1] 6/11 initially [1] 13/20 Instead [1] 11/4 intending [1] 13/18 intention [1] 13/25 interests [2] 12/17 12/18 invited [1] 6/16 is [28] is that correct [1] 4/19 is there [3] 10/1 13/11 14/17 issue [5] 7/22 8/4 10/2 12/9 12/21 issues [6] 7/11 7/12	near [1] 6/21 nearly [1] 5/22 need [1] 11/14 Nestler [7] 1/13 3/5 5/7 6/10 8/25 9/3 9/14 never [1] 5/13 next [8] 3/19 5/6 5/18 5/20 6/24 10/10 12/1 12/7 no [8] 1/4 3/3 7/17 7/19 7/19 8/4 14/2 14/19 not [15] 4/3 4/16 5/4 6/6 6/25 8/10 9/6 9/16 9/17 10/2 13/4 13/4 13/13 14/19 14/21 not-guilty [1] 5/4 note [1] 15/5 nothing [1] 7/25 now [3] 4/23 9/21 13/1 number [1] 5/11 NW [3] 1/14 1/19 2/5	
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opportunity [1] 9/9 opposition [2] 8/21 14/14 oppositions [1] 7/5 order [2] 7/1 12/23 other [5] 5/9 5/13 7/11 7/13 8/4 ought [1] 5/7 our [8] 4/9 5/20 6/14 9/5 10/8 10/18 13/25 14/14 out [8] 4/11 4/12 4/21 4/24 6/2 6/20 12/20 14/10 outweigh [1] 12/17 over [1] 3/20 overlapped [1] 5/11	believe [2] 7/6 13/20 can [4] 4/14 4/21 10/15 10/24 didn't know [1] 13/18 don't [1] 13/17 don't think [1] 12/8 guess [1] 14/8 have [4] 5/8 8/14 8/18 12/5 just [2] 5/14 7/6 know [2] 11/1 13/23 mean [1] 8/8 think [11] 5/11 6/25 7/4 8/10 8/12 9/4 9/7 10/20 12/25 14/2 14/6 want		

Case 1:21-cr-00008-APM Document 172 Filed 04/23/21 Page 18 of 18			Your Honor [24]
R			Z
raise... [1] 13/12	so I think [1] 5/22	14/1	Zaremba [4] 2/3 15/2
reading [3] 3/24 4/2 4/15	social [1] 5/14	them [1] 5/22	15/10 15/11
realistic [1] 8/10	some [7] 4/18 9/22 10/9 12/3 13/15 13/23 13/24	then [5] 3/18 7/8 9/5 9/22 10/10	ZOOM [1] 1/9
Realtime [1] 2/4	something [1] 8/24	there [9] 5/11 5/12 7/13 10/1 13/1 13/11 13/15 13/23 14/17	
reasons [2] 13/7 13/10	somewhat [1] 11/14	there's [3] 6/9 7/9 7/24	
received [2] 3/22 8/11	soon [1] 14/11	therefore [1] 15/6	
recite [1] 4/14	sorry [3] 7/19 7/20 14/3	these [1] 13/5	
record [4] 3/21 5/3 8/16 15/3	sort [3] 3/18 5/14 9/24	they [2] 10/8 10/10	
recorded [1] 2/7	sought [1] 7/2	things [1] 3/20	
reflect [2] 3/21 5/4	specifically [1] 12/19	think [16]	
Registered [1] 2/3	speedy [6] 7/3 7/23 11/24 11/25 12/6 12/18	this [25]	
related [2] 6/15 13/13	Speedy Trial Act [2] 7/3 7/23	those [3] 4/7 13/7 14/9	
remind [1] 7/7	speedy-trial [1] 12/6	though [1] 5/13	
remotely [1] 15/7	split [1] 6/7	thought [1] 8/8	
reporter [5] 2/3 2/3 2/4 2/4 4/9	spoke [2] 7/20 12/5	through [4] 12/1 12/2 12/14 13/9	
reporting [1] 15/7	standing [1] 12/23	time [18]	
request [3] 10/4 10/8 10/9	standpoint [1] 6/7	titled [1] 15/4	
reschedule [1] 11/17	start [2] 3/19 10/10	today [1] 8/10	
resolved [1] 10/3	started [3] 13/3 13/5 13/8	together [2] 6/5 12/13	
respect [4] 6/11 8/11 12/7 13/8	stated [1] 13/10	toll [1] 12/15	
response [2] 7/5 13/21	STATES [4] 1/1 1/3 1/10 3/3	tolled [1] 12/25	
result [1] 14/7	status [3] 5/20 9/15 12/7	tomorrow [6] 7/5 12/14 12/16 13/22 13/25 14/14	
review [7] 4/18 8/20 9/5 9/21 10/2 11/12 13/21	STEELE [8] 1/6 3/4 3/11 6/12 6/15 12/5 13/14 14/3	transcript [3] 1/9 2/7 15/3	
right [13] 3/17 5/3 6/22 8/1 8/6 9/19 11/20 11/22 13/1 13/11 14/16 14/17 14/23	Steele's [3] 3/18 9/15 13/19	transcription [1] 2/8	
rights [1] 4/3	stenography [1] 2/7	transport [3] 9/15 9/22 10/2	
RMR [2] 15/2 15/11	steps [3] 3/19 5/6 5/18	transportation [1] 9/18	
rushed [1] 8/15	still [6] 4/21 6/18 13/5 13/25 14/4 14/8	trial [7] 7/3 7/23 11/24 12/1 12/6 12/18 12/24	
S	Street [2] 1/14 1/19	trouble [1] 11/16	
said [4] 4/14 10/9 11/2 13/20	subject [1] 15/6	try [2] 6/18 14/9	
same [2] 5/21 13/19	substance [1] 7/25	trying [1] 5/21	
schedule [3] 5/22 11/5 14/2	Suite [1] 1/20	turn [2] 3/20 7/12	
scheduled [1] 14/11	superseding [2] 3/22 3/25	turnaround [1] 11/1	
scheduling [1] 9/12	sure [3] 4/13 8/14 11/15	two [1] 13/9	
Schuck [1] 2/2	switch [1] 4/21	U	
Secondly [1] 6/10	T	U.S [1] 1/14	
seen [1] 5/12	take [2] 4/10 8/1	under [4] 4/17 7/3 7/23 12/22	
sense [1] 6/7	talk [5] 4/18 5/6 5/18 7/10 8/7	Understood [1] 14/13	
Service [2] 5/10 10/8	talked [1] 11/25	UNITED [4] 1/1 1/3 1/10 3/3	
set [7] 5/22 7/4 8/20 10/17 10/21 13/17 14/2	technological [1] 15/7	United States of [1] 3/3	
setting [1] 5/14	tee [1] 12/21	unresolved [1] 13/2	
several [1] 6/14	ten [2] 6/7 9/6	until [2] 10/2 12/7	
shaking [1] 4/9	tentative [1] 11/14	up [7] 4/6 6/7 7/20 9/3 9/21 10/10 12/21	
she [1] 14/7	tentatively [1] 10/20	uploaded [1] 6/14	
she'll [1] 10/11	terms [1] 11/24	us [1] 9/17	
she's [3] 9/21 12/1 14/8	than [3] 7/11 8/4 8/16	USAfx [1] 6/14	
should [1] 6/24	thank [2] 14/19 14/24	usdoj.gov [2] 1/16 1/17	
side [1] 7/9	Thank you [1] 14/24	V	
since [1] 5/13	that [51]	versus [1] 3/4	
sir [1] 3/15	that'll [1] 12/15	very [4] 3/16 14/16 14/23 14/24	
situated [1] 8/13	that's [12] 4/20 8/10 8/23 9/1 9/6 9/8 10/22	via [2] 1/9 3/8	
Sixth [1] 4/3			
slightly [1] 8/14			