

One of the folders on the Western Digital Hard Drive contained 13 photographs of Camila taken on November 2, 2005, at least nine of which were child pornography. Several of the photographs depict Camila lying on a bed fully nude and at least five photographs depict close-ups of Camila's genitals.³

On March 13, 2019, a grand jury in the Eastern District of New York returned a second superseding indictment against defendants Keith Raniere, Clare Bronfman, Allison Mack, Kathy Russell and Lauren Salzman, which, among other things, added four additional predicate racketeering acts, including three alleging production and possession of child pornography.

III. Pretrial Proceedings

On March 1, 2019, counsel for Raniere contacted the government by email and requested to inspect the material on the Western Digital Hard Drive that the government had identified as child pornography. As Raniere acknowledges, Rule 33 Mot. at 8, defense counsel inspected the Western Digital Hard Drive at the FBI. On March 21, 2019, counsel for Raniere requested to have a defense computer expert conduct a forensic examination of the child pornography, and shortly thereafter, on March 25, 2019, defense counsel and the expert inspected the evidence at the FBI.

In the months before trial, the government repeatedly advised that it would consent to a brief adjournment of trial in order to allow Raniere additional time to conduct

³ The government attempted to create a "scrubbed" version of the Western Digital Hard Drive without the folder containing child pornography and provided it to Raniere's counsel. Raniere's trial counsel thereafter alerted the government that based on counsel's own review, the drive still contained carved (i.e., deleted but forensically recovered) images of the child pornography and returned the drive to the government to be re-produced a second time. See 04/04/2019 Status Conference Transcript, Exhibit B-003.