

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

UNITED STATES OF AMERICA

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v.

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NO. 1:17-CR-0034

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REALITY LEIGH WINNER

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**DEFENDANT’S MOTION FOR CONFERENCE WITH EXPERT**

NOW INTO COURT, through undersigned counsel, comes Defendant Reality Leigh Winner (“Ms. Winner” or the “Defendant”), who respectfully advises and requests permission from this Court to set up an in-person, unmonitored meeting between her and one of her engaged experts on January 23, 2018, at the federal courthouse in Augusta, Georgia. In support thereof, the defendant respectfully shows as follows:

1.

The Court previously set a hearing in the above-styled case for January 23, 2018 at 10:00 a.m. at the federal courthouse in Augusta, Georgia between defense counsel and counsel for the National Security Agency to discuss the issue of defense Internet searches.<sup>1</sup> However, the defense and counsel for the NSA have reached a temporary accord on the search issues and have postponed the hearing for the time being.<sup>2</sup> In any event, the defense has planned a meeting with the defendant on that date in the SCIF at the Augusta courthouse to discuss the case.

2.

One member of her defense team is an engaged, uncleared expert. While that individual will not be participating in the SCIF meeting, the defendant and her counsel desire to have an in-

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<sup>1</sup> Doc. No. 192 at p. 2.

<sup>2</sup> Doc. No. 205.

person, unmonitored conference with this expert on that date in the federal courthouse. To the extent there are any security concerns, the defense would agree to any reasonable measures the U.S. Marshals may require, provided the conversation will be private and applicable privileges (including attorney-client and attorney work product privileges) will remain intact. Thus, for example, the defense would acquiesce to the presence of a U.S. Marshal outside the conference room where the meeting could be held at the courthouse.

3.

While the defense is unsure whether this request necessarily requires a motion, in abundance of caution, it is submitting this pleading to advise the Court, in advance, of its request and to receive permission for such accommodations. To the extent the Court has any concerns, the defense will be available on January 23, 2018 (or any time beforehand) to discuss this matter with the Court.

WHEREFORE, for the reasons stated above, the Defendant, Reality Winner, respectfully requests that this Court (a) grant the instant Motion for Conference With Expert; (b) permit her to meet with her counsel and her expert in an in-person, unmonitored setting on January 23, 2018 at the Augusta federal courthouse; and (c) grant such additional relief as the Court deems warranted on the premises hereof.

Respectfully submitted,

/s/ Joe D. Whitley

Joe D. Whitley (Bar No. 756150)  
Admitted *Pro Hac Vice*  
Brett A. Switzer (Bar No. 554141)  
**BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, P.C.**  
3414 Peachtree Rd., NE Suite 1600  
Atlanta, GA 30326  
(404) 577-6000  
JWhitley@bakerdonelson.com  
BSwitzer@bakerdonelson.com

John C. Bell, Jr. (Bar No. 048600)  
Titus T. Nichols (Bar No. 870662)  
**BELL & BRIGHAM**  
PO Box 1547  
Augusta, GA 30903-1547  
(706) 722-2014  
John@bellbrigham.com  
Titus@bellbrigham.com

Matthew S. Chester (La. Bar No. 36411)  
Admitted *Pro Hac Vice*  
**BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, P.C.**  
201 St. Charles Ave., Suite 3600  
New Orleans, LA 70170  
(504) 566-5200  
Mchester@bakerdonelson.com

Thomas H. Barnard (Az. Bar No. 020982)  
Admitted *Pro Hac Vice*  
**BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, P.C.**  
100 Light Street.  
Baltimore, MD 21202  
(410) 685-1120  
TBarnard@bakerdonelson.com

**ATTORNEYS FOR DEFENDANT  
REALITY LEIGH WINNER**

**CERTIFICATE OF SERVICE**

I hereby certify that on January 19, 2018, I electronically filed the foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to counsel of record for all parties.

/s/ Joe D. Whitley  
JOE D. WHITLEY