

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	
)	Crim. No. 19-10141-LTS
(1) SHELLEY M. RICHMOND JOSEPH and)	
(2) WESLEY MACGREGOR)	
)	
Defendants.)	

JOINT MEMORANDUM PURSUANT TO LOCAL RULE 116.5(b)

The parties submit this joint memorandum addressing Local Rule 116.5(b).

1. An interim status conference is scheduled for July 25, 2019. Due to a conflict in defendant MacGregor’s counsel’s schedule, the parties respectfully request that the conference be continued to August 5, 2019. The parties request that the Court hear argument on the two pending motions at the time of the rescheduled status conference. *See* ¶¶ 3-4 below.

2. The government provided automatic discovery on May 23, 2019. On June 19, the government produced two items pursuant to the Court’s Discovery Protective Order (Doc. No. 29): the alien file of the person referred to in the indictment as A.S., and a criminal history record of a government witness. On July 18, the government supplemented its automatic discovery production with Massachusetts Trial Court training materials for new judges.

3. The Defendants’ Joint Motion to Compel Production of Discovery is fully briefed and awaiting resolution by the Court. *See* Doc. Nos. 32, 40.

4. Defendant Joseph’s Motion for Production and Inspection of Notes Taken by Government Counsel and Agents During Interviews of Government Witnesses is fully briefed and awaiting resolution by the Court. *See* Doc. Nos. 33, 41.

5. Defendants’ dispositive motions are due September 6. *See* Doc. No. 42.

6. The parties agree that the government will provide expert disclosures no later than 30 days before trial and the Defendants will provide expert disclosures no later than 21 days before trial.

7. Neither Defendant anticipates raising a defense of insanity or alibi. Either Defendant will provide notice of intent to raise any defense of public authority or exemption on or before September 6, 2019.

8. The Court has previously excluded the period from April 25, 2019, until July 25, 2019, for the purposes of the Speedy Trial Act. *See* Doc. Nos. 14, 26. The parties agree to the exclusion of the period between July 25 and August 5 pursuant to 18 U.S.C. § 3161(h)(7)(A). The parties submit that the ends of justice served by permitting defense counsel to review and evaluate the discovery outweighs the best interest of the public and the Defendants in a speedy trial.

9. Through counsel, the government has extended plea offers to the Defendants. Defendant Joseph rejected the offer extended to her. Defendant MacGregor has not yet responded to the government regarding the offer extended to him. The parties believe a trial is likely and that it will last approximately one week.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Christine Wichers
Christine Wichers
Assistant U.S. Attorney

Date: July 23, 2019