

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	CASE NO. 1:16-CR-63
v.)	
)	
TOKAI KOGYO CO., LTD., <i>et al.</i> ,)	
)	
Defendants.)	

**DEFENDANTS’ JOINT MOTION FOR AN *ENRIGHT* PROFFER
BY THE GOVERNMENT ON OR BEFORE AUGUST 31, 2017**

Defendants Tokai Kogyo Co., Ltd. and Green Tokai Co., Ltd., by and through counsel, respectfully move this Court to require the government, by no later than August 31, 2017, to provide Defendants with a written pre-trial proffer detailing each proposed co-conspirator statement and providing sufficient information to demonstrate that the government can, and will, fulfill each of the *Enright* elements as to any statement to be offered into evidence under Rule 801(d)(2)(E) (“Motion”). Fed. R. Evid. 801(d)(2)(E); *U.S. v. Enright*, 579 F.2d 980, 986 (6th Cir. 1978).

In support of this Motion, Defendants submit the accompanying Memorandum in Support of Defendants’ Joint Motion for an Order Directing the Government to Provide an *Enright* Proffer to Defendants On or Before August 31, 2017. Defendants also note that pursuant to the Court’s Notation Order of July 21, 2017 and previous Order of November 29, 2016 (granting the government’s request to file certain documents under seal), Defendants have conferred with the government and will file the accompanying Memorandum in Support and supporting exhibit

with redactions consistent with the Court's previous orders. *See also* Docket No. 29. The Defendants will also simultaneously provide a fully un-redacted copy to the Court.

DATED this 28th day of July, 2017

Respectfully submitted,

/s/ Larry A. Mackey
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Attorneys for Defendant Green Tokai

CERTIFICATE OF SERVICE

I hereby certify that on 28th, 2017, I electronically transmitted the foregoing *Notice of Defendant's Joint Motion for an Enright Proffer by the Government on or Before August 31, 2017* the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel who have appeared in this matter.

/s/ Meena T. Sinfelt
Meena T. Sinfelt, Esq.