

EXHIBIT A

EXHIBIT 1

WHITE & CASE

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April 30, 2010

VIA E-MAIL

Lucy McClain
U.S. Department of Justice
The Curtis Center
Suite 650W
170 S. Independence Mall West
Philadelphia, PA 19106

Re: U.S. v. Ian Norris

Dear Ms. McClain:

This letter follows up our April 22, 2010 "meet and confer" and on your ongoing disclosure in this matter.

We kindly request the following documents and materials under, *inter alia*, Rule 16(a)(1)(E) of the Federal Rules of Criminal Procedure, *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, (including *Giglio v. United States*, 405 U.S. 150 (1972)), and the Jencks Act. For purposes of this request, we seek all material in your possession, custody or control, including materials in the possession, custody or control of persons and companies having a continuing obligation to cooperate with the Division pursuant to plea, immunity, nonprosecution, or amnesty agreements. *See, e.g.*, Morgan and Morganite Plea Agreement ¶¶ 15(a), 15(c), 16(a), 16(d).

1. Affidavits. To date, we have received, by our count, six affidavits (Emerson I & II, Kroef, Muller, Perkins and Weidlich).
 - a. Statement of Completeness. Please confirm that this set is the entirety of affidavits, sworn statements, declarations, or written witness statements in your custody or control from the persons described in the Second Superseding Indictment ("Indictment") (as amplified by the Voluntary Bill of Particulars), persons listed on Exhibit A of your letter of April 9, 2010, and any other person with knowledge relevant to the Ian Norris Indictment or prosecution.
 - b. Affidavits and Statements of Witnesses in Company Counsel's Control. We request that you seek from Morgan/Morganite, Schunk, and Carbone and its

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- counsel any affidavit or witness statement in their possession, custody or control, regardless of whether the Division has prepared it.
- c. Unredacted Versions. We request that you provide all affidavits to us in unredacted form; four of the six affidavits provided to us have factual information hidden by redaction. The redacted information is relevant and material to our factual investigation and preparation for trial, and protected by the Protective Order.
- d. Draft Affidavits. Please provide any drafts of these affidavits and/or any unexecuted affidavits or statements shown to witnesses or counsel for witnesses. These have been customarily provided as part of the Division's open file discovery in this District. *See, e.g., United States v. Stolt-Nielsen*, 524 F.Supp.2d 609, 625 (E.D. Pa. 2007) (discussing accuracy of government witness Haugsdal's sworn declaration vs. his draft declaration).
2. Attorney Proffers. We have not received any notes, memoranda, 302s, etc. of proffers made by attorneys on behalf of individuals or companies (e.g., Morgan/Morganite, Schunk, Carbone). We hereby request all notes, communications, documents supplied, and documents containing communications relating to such attorney proffers for any individual or company made in this investigation. *See, e.g., United States v. Delgado*, No. CRIM. 03-30008, 2004 WL 1406097 at *2 (D. Mass. June 17, 2004) (ordering pre-trial discovery of proffers).
3. Communications between DOJ and Morgan and any of its Subsidiaries. We have previously requested e-mail, correspondence, memos, notes, etc., that embody communications between DOJ and Morgan/Morganite. *See* Curran Letter, April 14, 2010. We have received the two grand jury subpoenas (April 1999 and August 2001), including the relevant cover letters or letters of instructions, and a handful of electronic mail relating to communications between Morgan/Morganite and DOJ. Today we received certain cover letters forwarding documents to the DOJ from Morganite. We have not, however, received other communications between Morgan/Morganite and DOJ, and we renew our request for immediate production.
- a. Renewed Request. We renew our request made on April 14, 2010 for all communications between DOJ and Morgan/Morganite, including e-mail, correspondence, memos, 302s and notes embodying any communications between DOJ and Morgan/Morganite. Examples of requested communications that we have not received include but are not limited to:
- i. All communications embodying the transmittal and/or presentation by Morgan/Morganite of the so-called "scripts" to the DOJ.
 - ii. All communications concerning the circumstances of the creation and drafting of the "scripts."
 - iii. All communications between counsel for individual Morgan/Morganite executives and the DOJ concerning the transmittal, presentation or circumstances of creation and drafting of the "scripts."

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- iv. All communications concerning the breadth of the search that the DOJ required Morgan/Morganite to conduct for documents (i.e., scope of subpoenas, search terms, etc.).
 - v. All communications concerning alleged document destruction or failure to retain documents by Morgan/Morganite, including all proffers of such alleged conduct.
 - vi. All communications concerning document retention by Morgan/Morganite and its counsel.
 - vii. All communications discussing if, when, and how "investigators" were to be misled and identifying which "investigators" were misled.
 - viii. All communications concerning the alleged early retirement of Morgan's/Morganite's executives and Morgan's/Morganite's retirement practices.
 - ix. All subpoenas (and related communications and instructions, including as to scope and compliance) served on individuals.
 - x. All communications concerning questions posed by the DOJ concerning meetings with competitors.
 - xi. All communications concerning the Canadian Competition Commission and/or the Canadian Department of Public Prosecution.
 - xii. All communications concerning the European Commission.
 - xiii. All communications concerning the extradition of Ian Norris.
 - xiv. All communications concerning payment by Morgan/Morganite of attorney's fees for attorneys representing Morgan/Morganite employees or former employees.
 - xv. All communications asserting a conflict of interest to exist between Morgan/Morganite and any individual Morgan/Morganite executive(s).
 - xvi. All communications relating to Morgan's/Morganite's offer to make witnesses available for interview by the DOJ or available for grand jury testimony.
- b. Unredacted. The emails and cover letters we have received contain redactions; we renew our request made in the April 22, 2010 "meet and confer" for unredacted communications between Morgan/Morganite and DOJ. For example, it appears the entire front end of the Sullivan & Cromwell cover letter of July 22, 2002 has been redacted. Based on the next sentence, it is clear that the redacted content is material to understanding Morgan's/Morganite's compliance with the DOJ grand jury subpoena: "Upon the submission of that material [referring to the redacted sentences], the Company will have completed its response to the Subpoena" Letter of William [unintelligible due to copy quality: Schroeder?], Sullivan & Cromwell, July 22, 2002; we request a clean copy of that correspondence in full.
- c. Counsel Included. We specifically request that copies of the DOJ-Morgan/Morganite communications which are in the possession, custody, or

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control of Pillsbury, Sullivan & Cromwell, Clifford Chance and Morgan/Morganite be produced to us.

4. FBI 302s and Agent Notes. To date, we have been provided only with a single FBI 302 in this matter, for an FBI interview of F. Scott Brown.
 - a. Completeness. Please confirm that this is the only FBI 302.
 - b. Agent Notes of Interviews. We request the agent notes from any interview that an FBI agent attended.
 - c. Unredacted. Please provide an unredacted version of the F. Scott Brown 302. The redaction of address information is inappropriate, impedes the defense needlessly of material and relevant information, and is not harmful to personal interests given its use being limited to this case.
5. Depositions and Related Materials in Civil Cases. We have to date received seven deposition transcripts of certain witnesses in the *Emerson Electric Co. et al v. Le Carbone Lorraine*, Case No. 05-CV-6042 (JBS) (D.N.J.): Cox, DiBernardo, Jeunck, Muller, Nantier, Perkins and Volk.
 - a. Completeness. Please confirm that we have received all of the witness depositions and recorded testimony in the *Emerson Electric* case; if not, we request that you obtain and provide us with the remaining depositions or testimony.
 - b. Videotaped Testimony. The depositions in *Emerson Electric* were videotaped. We request that you obtain the videotapes of the deposition testimony and provide them to us.
 - c. Deposition Exhibits. We request the deposition exhibits for each of the civil case witnesses.
 - d. Other Civil Antitrust Litigation. Please confirm that there has been no other civil litigation or arbitration involving Morgan/Morganite, Schunk or Carbone involving antitrust issues parallel to the government investigation(s). If such litigation has occurred, we request any depositions, trial transcripts of testimony, or witness statements, made in connection with such litigation or arbitration, as well as any videotapes or exhibits.
6. Statements by Morgan/Morganite, Schunk, and Carbone and their Executives before other Competition Agencies and Tribunals in Parallel Investigations of the Carbon Business. We request that the Division obtain from Morgan/Morganite, Schunk, and Carbone copies of testimony, proffers, witness statements, affidavits or declarations, and presentations made to, or made before or supplied to other competition agencies and tribunals; these materials are within the Division's control. E.g., statements, correspondence, communications and presentations by Morgan/Morganite, Schunk, or Carbone to:
 - a. The European Commission;
 - b. The Canadian Competition Commission and/or the Canadian Department of Public Prosecution (Mr. Bill Miller *et al.*); and
 - c. Other competition agencies and tribunals.

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7. Schunk Amnesty and DOJ Communications. We received the Schunk amnesty agreement this week.
 - a. We request the Schunk amnesty marker letter, if any.
 - b. We request all notes, memoranda, 302s, and the like from the Schunk amnesty proffer meetings (i.e., proffers made by counsel or by fact witnesses) in connection with Schunk's amnesty application.
 - c. We request all documents submitted by Schunk in connection with its amnesty application.
 - d. We request all communications between the DOJ and Schunk, including all requests for documents, subpoenas, instructions and the like.
8. Carbone Lorraine. We request any and all documents related to immunity or similar protection from antitrust prosecution for Carbone Lorraine and its executives, including proffer materials and communications between DOJ and Carbone. For sake of illustration, but not to limit, we also request any subpoenas or request for documents served on Carbone; we also request any correspondence asserting a conflict of interest between Carbone and any Carbone executive.
9. Grand Jury Materials. We previously requested all transcripts of grand jury proceedings by letter of March 5, 2010. We have received nothing to date.
 - a. Renewed Request. We renew our March 5 request for all grand jury transcripts and materials. For the avoidance of doubt, we request all presentations, argument, summaries and testimony presented to the grand jury: 1) relating to the indictments of Ian Norris; 2) mentioning Ian Norris or any other alleged co-conspirator; or 3) otherwise relating in any way to Mr. Norris. We also seek any instructions given to the grand jurors in connection with these indictments.
 - b. Grand Jury Witness Testimony: Single Summary Witness. We understood from our "meet and confer" on April 22, 2010 that no percipient fact witnesses testified before the grand jury, but instead that a single summary witness testified before the grand jury. We request the identity of that summary witness and the transcript(s) of that summary witness's testimony.
 - c. Presentation of Affidavits to the Grand Jury. We request grand jury proceeding transcripts – including the testimony of the summary witness (including exhibits), as well as any attorney presentation of affidavits and other materials to the grand jury.
 - d. Grand Jury Minutes. We request the minutes of the grand jury and records of the names and votes of the grand jurors involved with the Ian Norris indictments: the Indictment, the Superseding Indictment, and the Second Superseding Indictment.
 - e. DOJ Box 16 ["Morganite Box 14"]: Missing Grand Jury Box. When we were on site at your offices, one of the Morgan grand jury boxes was missing and not made available to us ("Box 16" per the DOJ box notations and inventory you provided to us). We have received your letter of April 27, 2010, which concerns the contents of a "Box 14" which was produced by Morganite for the grand jury, but then apparently returned to Sutton Keany on or about March 23, 2000 per the correspondence you attached. Please acknowledge that DOJ Box No. 16 (the box

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of grand jury materials which has not been made available to us by you) is Morganite Box 14 per your April 27, 2010 correspondence. Please make the missing box of grand jury materials available to us.

10. Identification of Alleged "Scripts." We request identification of the alleged "scripts" referenced in the specific paragraphs of Second Superseding Indictment. Because "script" is a characterization of meeting notes or documents, it is not evident from the face of a document whether that document is a "script" or "draft script" you contend is false.
11. DOJ's Document Retention Policy or Instructions Governing the File in this Case and Emails in this Case. We request copies of any applicable document retention policies or instructions in force or applicable at the Division and FBI during the Norris investigation to the present day.
12. DOJ's Instructions to Counsel for Morgan/Morganite, Morgan/Morganite executives, Schunk, Carbone, etc. for File Retention in This Case. We request copies of any applicable document retention policy or instructions in force or applicable covering materials relevant to the Norris investigation to the present day.
13. DOJ to Make Witnesses Available for Trial Testimony In Philadelphia. Please confirm that you will make available individuals that we identify who have an obligation to cooperate with the Antitrust Division or whose employer has an obligation to cooperate with the Division (current or former employees).
14. Translation of Handwritten Notes. We request translation of handwritten notes provided in shorthand, or that are otherwise coded or cryptic, into Standard English. E.g., Notes from Department of Justice interview of Melvin G. Perkins on April 9, 2010; Notes from Department of Justice interview of Bruce Farmer on June 7, 2001; and Notes from Department of Justice interview of Jacobus Johan Kroef on June 8, 2001. See, e.g., *United States v. Service Deli Inc.*, 151 F.3d 938 (9th Cir. 1998) (vacating conviction and granting new trial for failure to disclose material information in handwritten notes in violation of defendant's due process rights).
15. Other Requests. As a predicate to motions pursuant to Rule 12 of the Federal Rules of Criminal Procedure:
 - a. Please confirm that no evidence or other information in the government's possession, custody, or control was obtained by a search and seizure. If any evidence was obtained by search and seizure, please provide a description of such evidence and if said search was warrantless, set forth the nature of the information upon which the search was based and the date said information was received by the government;
 - b. Please confirm that no evidence or other information in the government's possession, custody, or control was obtained through the use of a beeper, other tracking device, mail cover, pen register, or electronic or audio surveillance of any kind. If any evidence was obtained through these investigative techniques,

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- please set forth the date, time, place, and a description of each interception and provide any and all documents related to or reflecting any information derived therefrom;
- c. Please inform us as to whether any recording or other result of electronic or audio surveillance has been scientifically tested, altered or treated in any way. If so, set forth the time, date, place and a description of each test or alteration, identify the examiner, and provide a copy of any reports and all documents relating or referring to such reports;
 - d. Please inform us as to whether any tapes, reports of communications, fruits of any interception or search, or notes of any interview requested herein have been or are intended to be discarded or destroyed. Please identify any such materials in sufficient detail to permit us to make a timely request to the Court for appropriate relief;
 - e. Please inform us whether any persons were present during grand jury proceedings other than the grand jurors, the single summary witness under examination, the court reporter, and Assistant United States Attorneys/Antitrust Division Trial Attorneys; and
 - f. Please inform us whether any grand jury materials, including grand jury transcripts or any documents or information produced to the grand jury, were disclosed or released to any person other than the grand jurors, court reporters, and Assistant United States Attorneys/Antitrust Division Trial Attorneys.

If any evidence was obtained through any means set forth in subparagraphs (a) and (b), we also request all relevant applications or other supporting documents for court orders, all such court orders, all reports by the government to the court, and all tapes, logs, transcripts, and line sheets resulting from such interception or surveillance.

16. Exculpatory and Impeachment Materials. Pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, including *Giglio v. United States*, 405 U.S. 150 (1972); and pursuant to the Department of Justice's Policy Regarding Disclosure of Exculpatory and Impeachment Information (Jan. 2010), and as set forth in section 9-5.001 of the U.S. Attorney's Manual, we request immediate disclosure of all exculpatory and impeachment material in the government's possession, custody, or control, or otherwise known to the government.

Each request is of a continuing nature and calls for supplementation as soon as the government discovers additional responsive evidence, information, or material. Also, if any information contained in your letter dated April 9, 2010 changes or ceases to accurately reflect your understanding, we request that you supplement this information and materials provided.

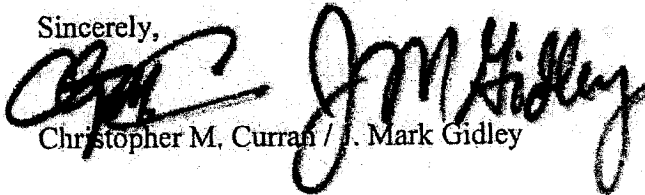
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We request production no later than May 12, 2010 (60 days prior to the start of the trial). We are pleased to hold a "meet and confer" with you at a mutually agreeable time. We suggest Monday May 3.

Sincerely,

Handwritten signatures of Christopher M. Curran and J. Mark Gidley. The signature of Christopher M. Curran is on the left, and the signature of J. Mark Gidley is on the right, overlapping the first signature.

Christopher M. Curran / J. Mark Gidley

cc: Richard Rosenberg

EXHIBIT B

EXHIBIT 2



U.S. Department of Justice

Antitrust Division

Lucy P. McClain
Attorney

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REPLY TO:
60-335991-0016

May 12, 2010

VIA E-MAIL AND FED EX

Christopher M. Curran, Esq.
Mark Gidley, Esq.
White & Case LLP
701 Thirteenth Street, NW
Washington, DC 20005

Re: United States v. Ian P. Norris, Cr. No. 03-632

Dear Messrs. Curran and Gidley:

This letter is in response to your letter of April 30, 2010, requesting additional discovery, documents and materials.

As you are aware, the Government previously has provided Mr. Norris with:

- (a) approximately 250 sets of handwritten notes and reports of interview or proffers for approximately 46 individuals; (b) copies of six affidavits for the following individuals: Robin Emerson (2), Jacobus Johan Kroef (1), Bruce Muller (1), Melvin Perkins (1), and Dr. Helmut Weidlich (1); (c) transcripts of depositions of Emilio DiBernardo, Mike Cox, Gunther Jueck, Bruce Muller, Jacques Nantier, Melvin Perkins, and Heinz Volk taken in the matter of *Emerson Electric Co. Et al v. LeCarbone Lorraine*, Case No. 05-CV-6042 (JBS) (D.N.J.); (d) all relevant corporate and individual plea agreements, leniency agreements, and non-prosecution agreements; (e) copies of all relevant judgment and commitment orders; (f) access to all Morgan, Carbone, and Schunk documents in the Government's possession; and (g) copies of all documents the Government currently intends to introduce in its case-in-chief. We are aware of our continuing obligation to provide you with additional discovery and will continue to provide additional materials and documents as they are located or become available. Regarding your current request, the United States responds as follows:

1. Affidavits

a. Statement of Completeness

The Government has provided you with all affidavits, sworn statements, declarations, or written witness statements in its possession, custody or control.

b. Affidavits and Statements of Witnesses in Company Counsel's Control

If they exist, such documents are not within the Government's possession, custody or control.

c. Unredacted Versions

Only personal information concerning the affiant was redacted from the witness affidavits previously provided to you. A redaction log for the affidavits is being provided to you in response to this request.

d. Draft Affidavits

The Government possesses no documents known to have been reviewed or adopted by any affiant, other than the signed affidavits, which the Government already has provided to you.

2. Attorney Proffers

The Government previously provided you with handwritten notes and reports of interviews or proffers of individual witnesses. It has also allowed you to review all the documents provided to the Government in connection with any individual or corporate proffer. The Government believes that your request for notes of attorney proffers is beyond the scope of its discovery obligations. We decline to provide you with notes or memoranda of attorney proffers for individuals or companies. As stated above, the Government already has provided you with all handwritten notes and reports of interview or proffers for approximately 46 individuals. The Government recognizes that its obligations under *Brady* and its progeny apply to attorney proffers, and we have nothing additional to disclose.

3. Communications between DOJ and Morgan and any of its Subsidiaries

a. Renewed Request

The Government has provided notes and reports of interviews with individual Morgan witnesses and has made available to you Morgan documents provided to the Government. Other documents previously provided to you contain information in response to several of your specific requests. Except as set forth below, the Government declines to provide additional records of

communications with Morgan counsel as beyond the scope of its discovery obligations.

i. Communications with counsel concerning transmittal of the “script” to the DOJ

Morgan counsel provided four sets of meeting summaries to the DOJ on or around January 2, 2001. (See Document #4 on the Government’s Discovery Index for Morganite Industries, Inc., and The Morgan Crucible Company plc, which was provided to you on April 29, 2010.) Morgan counsel initially identified Johan Kroef as the author of one set (Bates Nos. MCE0004-0011), Mel Perkins as the author of a second set (Bates Nos. MCE0025-48), and Bill Macfarlane as the author of a third (Bates Nos. MCE0049-50. Counsel later identified Mr. Macfarlane as the author of a fourth set (Bates Nos. MCE0051-0078). We believe these documents were among those contained in Box #28 of the documents you reviewed and copied. We are providing a copy of Mr. Gidley’s handwritten note indicating that the contents of Box #28 was copied in its entirety.

ii. Communications with counsel concerning the creation of the “scripts”

On or around January 23, 2001, Morgan counsel told the Government that the meeting summaries Morgan had provided to the DOJ on or around January 2, 2001, were not contemporaneous records of the meetings they summarized, and that some had been created at the request of counsel.

iii. Communications with counsel for individuals concerning the “scripts”

The Government has provided relevant affidavits and notes and reports of interviews with individuals. The Government declines to provide documents reflecting communications with counsel. If they exist, such documents are beyond the scope of the Government’s discovery obligation, subject to the requirements of *Brady* and its progeny.

iv. Communications with counsel concerning the breadth of the document search the DOJ required Morgan to conduct

The Government is providing additional documents concerning the breadth of the document production required by Morgan’s subpoena *duces tecum*.

v. Communications with counsel concerning document destruction or failure to retain documents

The Government has provided relevant affidavits and notes and reports of interviews with individuals. The Government declines to provide documents reflecting communications with counsel. If they exist, such documents are beyond the scope of the Government’s discovery obligations, subject to the requirements of *Brady* and its progeny.

vi. Communications with counsel concerning document retention

The Government declines to provide documents reflecting communications with counsel. If they exist, such documents are beyond the scope of its discovery obligations, subject to the requirements of *Brady* and its progeny.

vii. Communications with counsel concerning the misleading of investigators

The Government declines to provide documents reflecting communications with counsel. If they exist, such documents are beyond the scope of its discovery obligations, subject to the requirements of *Brady* and its progeny.

viii. Communications with counsel concerning the alleged early retirement of Morgan/Morganite executives or Morgan/Morganite retirement practices

The Government declines to provide documents reflecting communications with counsel. If they exist, such documents are beyond the scope of its discovery obligations, subject to the requirements of *Brady* and its progeny.

ix. Records concerning subpoenas to individuals

The Government declines to provide such documents. If they exist, such documents are beyond the scope of its discovery obligations, subject to the requirements of *Brady* and its progeny.

x. Communications concerning questions posed by DOJ concerning meetings with competitors

The Government declines to provide such documents. If they exist, such documents are beyond the scope of its discovery obligations, subject to the requirements of *Brady* and its progeny.

xi. Communications with counsel concerning the Canadian Competition Commission and/or Canadian Department of Public Prosecution

The Government is providing you with documents responsive to this request.

xii. Communications with counsel concerning the European Commission.

The Government declines to provide such documents. If they exist, such documents are beyond the scope of its discovery obligations, subject to the requirements of *Brady* and its progeny.

xiii. Communications with counsel concerning the extradition of Ian Norris

The Government declines to provide such documents. If they exist, such documents are

beyond the scope of its discovery obligations, subject to the requirements of *Brady* and its progeny.

- xiv. Communications with counsel concerning payment by Morgan/Morganite of attorney's fees for attorneys representing employees or former employees.

The Government has found no records regarding such communications.

- xv. Communications with counsel asserting a conflict of interest between Morgan/Morganite and any individual Morgan/Morganite executive

The Government is providing you documents that reflect communications with counsel regarding conflicts of interest.

- xvi. Communications with counsel relating to Morgan's/Morganite's offer to make witnesses available for interview by the DOJ or available for grand jury testimony.

The Government is providing you documents concerning Morgan's/Morganite's offer to make witnesses available for interview or to the grand jury.

b. Un-redacted versions of Records Previously Provided.

The redacted copy of the July 22, 2002, letter from Sullivan & Cromwell was provided in response to your April 14, 2010, request for communications concerning modifications made to the scope of any subpoena. The redacted portion did not address that request. We are now providing you with an un-redacted copy of the July 22, 2002, letter. We are also providing new, redacted copies of documents dated May 6, 1999, and August 3, 2000, which you requested in your letter dated May 5, 2010. The new copies include redactions of attorney thoughts and materials that do not concern communications with Morgan counsel.

c. Counsel Included – Request for Communications Possessed by Morgan Counsel

As set forth above, materials in the possession of Morgan counsel are not in the possession, custody or control of the Government.

4. FBI 302s and Agent Notes

- a. Completeness
- b. Agent Notes of Interviews

We previously have provided you with all agent reports and notes of interviews.

c. Un-redacted Version of F.Scott Brown 302.

The F.Scott Brown 302 was redacted to exclude only personal information. To facilitate any effort you may wish to make to contact him, his address is shown as 3168 Winding Pine Trail, Longwood, Florida.

5. Depositions and Related Materials in Civil Cases

- a. Completeness
- b. Videotaped Testimony
- c. Deposition Exhibits

The Government has provided all materials in its possession, custody or control concerning witness depositions in *Emerson Electric Co. et al v. Le Carbone Lorraine*.

d. Other Civil Antitrust Litigation.

Any additional civil litigation involving Morgan, Schunk or Carbone is a matter of public record. Other than the witness deposition transcripts in the matter of *Emerson Electric Co. Et al v. Le Carbone Lorraine*, which already have been provided to you, the Government possesses no witness statements made in connection with any civil litigation.

6. Statements by Morgan/Morganite, Schunk, and Carbone and their Executives before other Competition Agencies And Tribunals in Parallel Investigations of the Carbon Business.

The Government possesses no records of statements made by Morgan/Morganite, Schunk or Carbone, or any of their executives, to any other competition agency.

7. Schunk Amnesty and DOJ Communications.

- a. Schunk amnesty marker letter
- b. Records of Schunk amnesty proffer by counsel or fact witnesses
- c. Documents submitted by Schunk in connection with its amnesty application
- d. All communications between the DOJ and Schunk

The Government previously provided you with three Schunk amnesty letters and notes and reports of interviews with Schunk employees or former employees and has made available to you all documents Schunk provided to the Government. The Government has found no record of a marker provided to Schunk in connection with its leniency application. The Government declines to provide additional records. If they exist, such documents are beyond the scope of its discovery obligations, subject to the requirements of *Brady* and its progeny.

8. Carbone Lorraine – All documents related to immunity protection for the Company and its executives, including proffer materials and communications

The Government previously turned over to you all documents which provided Carbone Lorraine or its employees with protection from prosecution. The Government also provided you notes and reports of interviews with Carbone employees or former employees and has made available to you all documents Carbone provided to the Government. The Government declines to provide additional records. If they exist, such records are beyond the scope of its discovery obligations, subject to the requirements of *Brady* and its progeny.

9. Grand Jury Materials

As noted in the Government's April 27, 2010, response to Mr. Curran's request, the box of Morganite documents Mr. Norris seeks was returned to the company on March 23, 2000, at Morgan's request, accompanied by a request that the company preserve the returned documents. We have asked Morgan counsel to return the contents of that box to the Government, but have been told that the company has been unable to locate them. These materials consisted of product analysis and studies, some of which were in color and could not be reproduced. Morgan claimed the material was needed for ongoing studies and would be helpful to show to current and prospective customers. The Government declines to provide additional records. If they exist, such records are beyond the scope of its discovery obligations, subject to the requirements of *Brady* and its progeny.

10. Identification of Alleged "Scripts"

The Government declines to provide the requested identification as beyond the scope of its discovery obligations.

11. DOJ's Document Retention Policy

The Department of Justice has multiple policies regarding document retention. To help us respond to your request, please specifically identify the category or types of documents included in this discovery request.

12. DOJ's Instructions to Counsel for Morgan, Schunk, and Carbone for File Retention.

The Government previously provided you with documents concerning instructions to Morgan/Morganite concerning document retention and has found no additional records. The Government declines to provide records concerning Schunk or Carbone as beyond the scope of its discovery obligations.

13. DOJ to Make Witnesses Available for Trial Testimony in Philadelphia

The Government cannot compel witnesses located outside the United States to testify at

trial on Mr. Norris's behalf. If, however, you identify witnesses whom you have requested to testify and they have refused, the Government will speak to their counsel.

14. Translation of Handwritten Notes

The Government is providing transcriptions of the interview notes of Mel Perkins (April 9, 2010), Bruce Farmer (June 7, 2001), and Jack Kroef (June 12, 2003 ¹), which notes were identified in your discovery request. These notes contain shorthand characters among the pages of handwritten notes. These transcriptions are of handwritten notes of interviews which were previously provided to you.

15. Other Requests

a. Search and Seizure

The Government possesses no evidence or other information obtained by search and seizure.

b. Electronic Surveillance

The Government possesses no evidence or other information obtained through the use of a beeper, other tracking device, mail cover, pen register, or electronic or audio surveillance.

c. Recordings

No recording or other result of electronic or audio surveillance has been tested, altered or treated.

d. Discarding or Destruction of Tapes, Reports of Communications, Fruits of Interception or Search, or Notes of Interview

The Government has no knowledge that any such materials have been discarded or destroyed.

e. Identification of Persons Present during Grand Jury Proceedings

The Government declines to identify any person who was present or appeared before the Grand Jury as beyond the scope of its discovery obligations. No unauthorized person was present during the Grand Jury proceedings.

¹ We believe your letter request incorrectly identifies the date of the Jack Kroef interview.

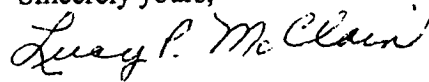
f. Disclosure of Grand Jury Materials

The Government declines to disclose whether any grand jury materials were disclosed to any person as beyond the scope of its discovery obligations.

16. Exculpatory and Impeachment Materials

The Government has recently learned that on or around August 31, 2001, Sutton Keany sent an e-mail to Ian Norris and other Morgan counsel concerning Norris's contact with Schunk. The Norris contact allegedly was made after Keany telephoned Norris after meeting with us in Philadelphia. In the e-mail Keany opined that there would be nothing illegal in representatives from companies who found themselves in a position similar to the one Morgan and Schunk found themselves in to exchange views. Keany also mentioned the American law concept of obstruction of justice, but noted that obstruction was not the point of Keany's contact with Schunk's counsel. Keany opined further that he was confident that Schunk's counsel would share his view, and assured Norris and the other recipients that there would be nothing improper in Keany's speaking with Schunk's counsel in an effort to try to better understand what was going on.

Sincerely yours,



LUCY P. MCCLAIN

Attorney
Antitrust Division
Philadelphia Office

Enclosures

cc: Joseph G. Poluka, Esq. (via email w/o enclosures)

EXHIBIT C

Katten

KattenMuchinRosenman LLP

525 W. Monroe Street
Chicago, IL 60661-3693
312.902.5200 tel
312.902.1061 fax

JONATHAN S. FELD
jonathan.feld@kattenlaw.com
312.902.5478 direct
312.577.4703 fax

July 16, 2010

Lucy McClain
Attorney
Antitrust Division
U.S. Department of Justice
The Curtis Center
170 S. Independence Mall West
7th and Walnut Streets
Suite 650 W
Philadelphia, Pennsylvania 19106

Re: United States v. Norris, Crim No. 03-632 (E.D. Pa.)

Dear Ms. McClain:

This letter confirms that Mr. Emilio DiBernardo, a former employee of Carbone of America (Canada) respectfully declines to come voluntarily to the United States to appear as a witness in the above-captioned trial.

Sincerely,



Jonathan S. Feld

JSF:k

50602324

Kievit, MaryJo

From: Feld, Jonathan S. [jonathan.feld@kattenlaw.com]
Sent: Friday, July 16, 2010 11:38 AM
To: Kievit, MaryJo
Subject: United States v. Norris
Attachments: C21N_EXCHANGE_07162010-102024.PDF

Maryjo, please see attached correspondence.

JONATHAN S. FELD

Partner
Katten Muchin Rosenman LLP
525 W. Monroe Street / Chicago, IL 60661-3693
p / (312) 902-5478 f / (312) 577-4703
jonathan.feld@kattenlaw.com / www.kattenlaw.com

=====

CIRCULAR 230 DISCLOSURE: Pursuant to Regulations Governing Practice Before the Internal Revenue Service, any tax advice contained herein is not intended or written to be used and cannot be used by a taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer.

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CONFIDENTIALITY NOTICE:

This electronic mail message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of this information may be subject to legal restriction or sanction. Please notify the sender, by electronic mail or telephone, of any unintended recipients and delete the original message without making any copies.

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NOTIFICATION: Katten Muchin Rosenman LLP is an Illinois limited liability partnership that has elected to be governed by the Illinois Uniform Partnership Act (1997).

=====

EXHIBIT D

MINUTES
NO. 14/2002

**THE MORGAN CRUCIBLE COMPANY PLC
MINUTES OF A MEETING OF THE BOARD
OF DIRECTORS OF THE COMPANY HELD IN
CONCORDE SUITE 3 AT THE HILTON HOTEL,
TERMINAL 4, HEATHROW AIRPORT
ON TUESDAY 29TH OCTOBER 2002
AT 4.10PM**

Present: Dr. E.B. Farmer (in the Chair)
Sir Alan Cox
Mr. D.C. Godwin
Mr. N.G. Howard
Mr. L. Kylberg
Mr. W.E. Macfarlane
Mr. N.R. Young

In attendance Mr. D.J. Coker (Secretary)
Mr. R. Osgood (Sullivan and Cromwell)

APOLOGIES
FOR
ABSENCE
174

Apologies for absence were received from Sir Clive Whitmore and Mr. R.N. Perle

COMPETITION
ISSUES
175

Further to Minute 151/2002, the Chairman advised the meeting that an agreement had now been reached with the Department of Justice in the USA relating to charges of price fixing by one of its subsidiaries, Morganite Inc. and of attempting to influence the testimony of witnesses in an official proceeding and of persuading a witness to destroy documents relevant to an official proceeding.

Mr. R. Osgood counsel for both Morganite Inc. and the Company referred to the Information Documents and the Plea Agreement (both documents filed with the Board Memoranda) and drew the contents of both documents to the attention of the Board.

It was noted in particular that Morganite Inc. had resolved that it would plead guilty to an anti-trust conspiracy alleging the suppression and elimination of competition by holding meetings with competitors and exchanging information with them and by fixing the prices of certain carbon products used by certain customers in respect of:-

- a) some current collectors sold to certain transit authorities;
- b) carbon brushes sold to certain original equipment manufacturers for automotive applications;
- c) carbon brushes sold to certain battery electric vehicle applications; and

d) carbon brushes sold to certain transit authorities

It was further noted from Mr. Osgood that there was substantial evidence in the hands of the Department of Justice that there had been attempts by the Company to influence the testimony of witnesses and that evidence was also held to show that documents which should have been in the files of one of its companies no longer existed and that instructions had been issued for documents to be removed from the files.

Mr Osgood confirmed that a fine in respect of the price fixing by Morganite Inc. of US\$10mil. . had been agreed with the Department of Justice, payable over 4 years interest free with the first payment being at the end of January 2003. The Board ratified Morganite Inc's decision to plead guilty and pay such a fine. In addition a fine of US\$500,000 in respect of each of the two counts relating to the Company would be paid in full interest free at the end of January 2003.

Mr. Osgood also explained to the Board the obligations within the plea agreement relating to the ongoing co-operation by Morganite Inc. and the Company.

Accordingly IT WAS RESOLVED THAT:

any director of The Morgan Crucible Company plc (the "Company") or the Company Secretary, Mr. D.J. Coker be and they hereby are, authorized and directed to: execute and enter into on behalf of the Company a Co-operation and Plea Agreement, dated on or about 21st October 2002, with the Department of Justice of the United States, Antitrust Division, concerning two counts of obstruction of justice, waive indictment of the Company and consent to the filing of an Information against the Company; waive the Company's right to trial by jury and related rights; and enter a plea of guilty to two counts of violation of 18 U.S.C. section 15 12(b)(1) and section 15 12(b)(2)(B);

and further

any director of the Company or the Company Secretary, Mr. D.J. Coker be and they hereby are, authorized and directed to execute and deliver in the name and on behalf of the Company any and all additional documents or agreements, and to take such further action as to any of them appears necessary or desirable, including the payment of fines and penalties, and further cooperation with the Antitrust Division as required by the Plea Agreement, subject to the Court's approval, to carry into effect the intent and purpose of the foregoing resolution;

and further

any and all action of any of the directors of the Company or Company Secretary in connection with the matters contemplated by the foregoing resolutions taken prior to the date hereof be, and they hereby are approved, ratified and adopted in all respects as fully as if such actions had been presented to the Board of Directors for its approval prior to any such action being taken;

and further

Mr R.M. Osgood is hereby authorised and directed to execute the Plea Agreement as Counsel to The Morgan Crucible Company plc.

A draft announcement (filed with the Board Memoranda) for issue to the Stock Exchange at or as near as possible to the time when the Department of Justice issued their order announcement was considered. Mr. Howard advised that Mr. Macfarlane was heading a task force, which would work with Morganite Inc. and others in dealing with communications with aggrieved customers. Mr. Osgood advised the Board that in his opinion given the extremely limited number of product ranges and customers affected, the costs of dealing with future civil claims would not be material. The same comment would also apply to Canada where the very small amount of business would again indicate that it would be unlikely to have any material impact upon the Group.

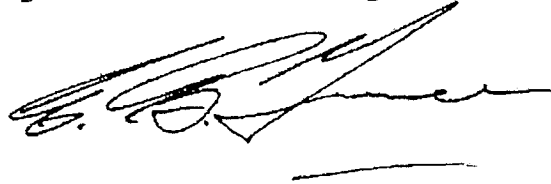
In Europe, Mr. Osgood advised that following the Companies application for immunity to Brussels, the Authorities had advised him verbally that the Company had so far met all the criteria necessary for immunity from penalties in Europe.

It was noted that the Stock Exchange draft Notice made reference to the treatment of the fine and costs and it was agreed that discussions should be held with the Auditors on the treatment of the costs once they had been calculated.

It was noted that any out come was subject to court approval which given the fact that the fines in the Plea Agreement were not in line with normal sentencing guidelines, may not be a foregone conclusion.

IT WAS RESOLVED THAT a sub-committee of the Board consisting of the Chairman and two other directors be and is hereby constituted to consider and agree the final contents of the announcement to be issued to the Stock Exchange. This should take place once the Secretary has advised of the outcome of the court judgement on the Plea Agreement and the total charges to the accounts have been confirmed.

There being no further business the meeting was declared closed at 6.30pm.



A handwritten signature, likely of E. B. Jones, is written in dark ink. The signature is stylized and cursive, with a horizontal line drawn underneath it.

EXHIBIT E



U.S. Department of Justice

Antitrust Division

Lucy P. McClain
Attorney

Direct Dial: 215-597-1131
E-Mail: lucy.mcclain@usdoj.gov

Philadelphia Office

The Curtis Center, Suite 650 W
170 S. Independence Mall West
7th and Walnut Streets
Philadelphia, Pennsylvania 19106-2424

215/597-7401
(Commercial & FTS)
FAX 215/597-8838

REPLY TO:
60-335991-0016

May 21, 2010

VIA E-MAIL AND FEDERAL EXPRESS

Christopher M. Curran, Esq.
Mark Gidley, Esq.
White & Case LLP
701 Thirteenth Street, NW
Washington, DC 20005

Re: United States v. Ian P. Norris, Cr. No. 03-632

Dear Messrs. Curran and Gidley:

In response to your letters of May 19 and 20, 2010, requesting additional discovery, documents and materials, the Government provides the following information.

Many of the requests contained in your letters appear to be repetitious requests for documents, materials and information you have made previously and to which the Government already has responded, either by providing the documents or by disclosing the requested information to you. To the extent that we previously have provided documents or information to you in response to your requests, we have provided everything that has been located to date. We will, however, continue to search our files and supplement our discovery production should we locate additional responsive materials.

We are providing a copy of Antitrust Division Directive ATR 2710.1 dated April 15, 2010, which sets out the procedures for handling division documents and information. I have asked the Department of Justice to provide me with a copy of their directive(s) on document retention. When I receive them, I will send them to you.

The Division has no record of having received a pardon application on behalf of F. Scott Brown, Michel Coniglio, Robin Emerson or Jacobus Kroef. We have contacted the Office of the Pardon Attorney who advised us that in 2008 it received a pardon application for F. Scott Brown, which it did not process because the application was submitted prematurely. We have, however,

asked the Pardon Attorney to supply us with a copy of Mr. Brown's application and related materials as well as any application and related materials it may have for Messrs. Emerson and Kroef. They will be provided to you as soon as they are received by this office, most likely next week.

Regarding your request for additional correspondence between Mr. Brown and the Antitrust Division, we have provided you with all discoverable materials in our possession that are not publicly available.

We have located and are providing a copy of a document signed by Anthony Massaro on March 19, 2003, authorizing communication and exchange of communication among the Antitrust Division, the Attorney General of Canada, and the Commissioner of Competition (Canada).

Because Jack Kroef and Robin Emerson have always been represented by counsel, we have never communicated with them directly.

We are providing you with copies of correspondence between the Antitrust Division and the Department of Homeland Security or the Immigration and Naturalization Service or Immigration and Customs Enforcement for Robin Emerson, Jack Kroef, and Michel Coniglio.

A redaction/privilege log is being provided with this discovery production. In proof reading the redaction/privilege log we noticed typographical errors in the document description section of Bruce Farmer's Discovery Index. That index has been corrected and is being provided with this discovery request. We also are providing a more legible copy of the handwritten notes of Jacques Nantier's interview dated July 7, 2000.

Regarding your inquiry about the notes of the F. Scott Brown interview dated May 11, 2005, please be advised that those notes are mine. The redaction removed information that did not contain statements of Mr. Brown.

Concerning your request for personal identifying information of potential witnesses, please be advised that with the exception of Robin Emerson, current or former employees of Morgan are represented by Clifford Chance of Washington, D.C. Robin Emerson is represented by Kobre Kim, which has offices in both New York and London. Former or current employees of Le Carbone Lorraine are represented by Katten Muchin Rosenmann of Chicago, Illinois, and current or former employees of Schunk are represented by Jenner & Block also of Chicago, Illinois.

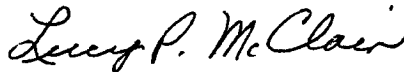
Regarding the separation package materials for Scott Brown, Jack Kroef, and Robin Emerson, please be advised that the separation materials for Robin Emerson were previously provided to you. (See discovery submission dated April 15, 2010, Exhibit A, MC 1358241-46; MC 1358269-71). We are providing you with separation materials for Scott Brown (MC 1358247) and Jack Kroef (MC 1358248-51).

We currently have no certified translations of foreign documents. To the extent that non-certified translations of foreign documents exist, they are not intended for use at trial and are work product. If we intend to introduce any foreign document at trial, we will obtain a certified translation of the document and provide it to you in advance of trial. We are, however, providing you with a copy of Thomas Hoffman's personal translation of notes which he took in German.

Finally, the Government again renews its request for reciprocal discovery under Fed. R. Crim. P 16(b)(1)(A), which was originally made on April 9, 2010. Specifically, we request that you provide us with any certified translations of foreign documents that you intend to introduce at trial and allow us to inspect and copy any books, papers, documents, data, photographs, tangible objects, buildings or places, or copies or portions of any of these items that are in the defendant's possession, custody, or control and which the defendant intends to use in the defendant's case-in-chief at trial.

We also specifically request copies of any statements or affidavits of witnesses you intend to call at trial. We understand that your firm has obtained affidavits from several individuals in this matter, and we are asking that you provide us with those statements and affidavits. To date, the Government has provided you with approximately 250 sets of handwritten notes of interviews for approximately 46 individuals. Pursuant to Fed. R. Crim. P. 26.2, the Government hereby renews its request that the defendant disclose prior statements of witnesses the defendant will call to testify.

Sincerely yours,



LUCY P. MCCLAIN

Attorney
Antitrust Division
Philadelphia Office

Enclosures

cc: Joseph G. Poluka, Esq. (via e-mail w/o enclosures)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	CRIMINAL NO.: 03-632
v.)	
)	HON. EDUARDO C. ROBRENO
IAN P. NORRIS)	
)	
Defendant)	

GOVERNMENT'S DISCOVERY		
F. SCOTT BROWN		
Number	Description	Date Turned Over
1	Information filed September 24, 2003	April 15, 2010
2	Plea Agreement filed November 24, 2003	April 15, 2010
3	Government's Sentencing Memorandum filed November 7, 2003	April 15, 2010
4	Judgment and Commitment Order dated December 8, 2003	April 15, 2010
5	302 dated August 8, 2001	April 15, 2010
6	Notes of September 4, 2003 Interview (1 set)	April 15, 2010
7	Notes of May 11, 2005 Interview (2 sets)	April 15, 2010
8	Letter to Thomas Washburn, Regional Designator, Bureau of Prisons, dated December 16, 2003	April 19, 2010
9	Notes of May 11, 2005 Interview (1 set) REDACTED	May 14, 2010
10	Notes of December 21, 2001 (3pgs.)	May 14, 2010
11	Notes of August 22, 2001 (3 pgs.)	May 14, 2010
12	Marcus Aponte Statement (2 pgs.)	May 14, 2010
13	Emerson Discussion of January 28, 2004 (8 pgs.)	May 14, 2010

14	Letter dated July 21, 2004 to Scott Brown (2 pgs.) REDACTED	May 14, 2010
15	Letter to Lucy P. McClain dated April 12, 2005 (4 pgs.) REDACTED	May 14, 2010
16	Facsimile to Scott Brown dated May 10, 2005 (4 pgs.)	May 14, 2010
17	Letter to Lucy P. McClain dated May 24, 2005 with tabs A - G (101 pgs. including tabs) REDACTED	May 14, 2010
18	Letter to Lucy P. McClain dated October 17, 2005 (4 pgs.) REDACTED	May 14, 2010
19	Letter to Lucy P. McClain dated October 25, 2005 (5pgs.) REDACTED	May 14, 2010
20	Letter to Lucy P. McClain dated November 16, 2005 (7 pgs.) REDACTED	May 14, 2010
21	Letter to Lucy P. McClain dated November 17, 2005 (3 pgs.) REDACTED	May 14, 2010
22	Letter from Patricia A. Rossi dated June 25, 2007 (9 pgs.)	May 14, 2010
23	Agreement between Scott Brown and The Morgan Crucible Company plc dated 25 October 2000 (Bates #MC 1358247)	May 21, 2010

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	CRIMINAL NO.: 03-632
v.)	
)	HON. EDUARDO C. ROBRENO
IAN P. NORRIS)	
)	
Defendant)	

GOVERNMENT'S DISCOVERY		
MICHEL CONIGLIO		
Number	Description	Date Turned Over
1	Information filed March 13, 2000	April 15, 2010
2	Plea Agreement filed April 10, 2000	April 15, 2010
3	Government's Sentencing Memorandum and Motion for a Guidelines Downward Departure (U.S.S.G. § 5K1.1) filed April 3, 2000	April 15, 2010
4	Judgment and Commitment Order dated April 18, 2000	April 15, 2010
5	Notes of December 1, 1999 Interview (3 sets)	April 15, 2010
6	Notes of September 17, 2002 Interview (5 sets)	April 15, 2010
7	Memorandum from INS for Joel L. Klein, Assistant Attorney General, Antitrust Division, Re: Michel Coniglio dated February 18, 2000 REDACTED	May 21, 2010
8	Letter from INS to Scott Hammond, Antitrust Division, Re: Michel Coniglio received by fax February 22, 2000 REDACTED	May 21, 2010

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	CRIMINAL NO.: 03-632
v.)	
)	HON. EDUARDO C. ROBRENO
IAN P. NORRIS)	
)	
Defendant)	

GOVERNMENT'S DISCOVERY		
ROBIN D. EMERSON		
Number	Description	Date Turned Over
1	Indictment filed September 24, 2003	April 15, 2010
2	Plea Agreement filed December 12, 2003	April 15, 2010
3	Motion to Dismiss Count One of Indictment filed December 12, 2003	April 15, 2010
4	Government's Motion to Depart From Guidelines Pursuant to U.S.S.G. § 5K1.1 filed December 4, 2003	April 15, 2010
5	Government's Sentencing Memorandum filed December 4, 2003	April 15, 2010
6	Judgment and Commitment Order dated December 11, 2003	April 15, 2010
7	Affidavit of Robin D. Emerson dated December 4, 2003 REDACTED	April 15, 2010
8	Affidavit of Robin D. Emerson dated August 6, 2004 REDACTED	April 15, 2010
9	Notes of December 3, 2003 Interview (3 sets) REDACTED	April 15, 2010

Number	Description	Date Turned Over
10	Report of Proffer dated December 4, 2003 REDACTED	April 15, 2010
11	Notes of April 13, 2010 Interview (2 sets) REDACTED	April 15, 2010
12	Letter to Thomas Washburn, Regional Designator, Bureau of Prisons, dated December 5, 2003 REDACTED	April 19, 2010
13	Affidavit of Robin D. Emerson dated August 6, 2004, (legible copy of Index #8 produced April 15, 2010) REDACTED	May 18, 2010
14	Letter from ICE to Hon. R. Hewitt Pate, Assistant Attorney General Antitrust Division, dated November 17, 2003	May 21, 2010
15	Letter from ICE to Scott Hammond, Esq., Antitrust Division, Re: Antitrust Division plea agreement with Robin D. Emerson, dated November 17, 2003	May 21, 2010
16	Mandatory Tracking Requirements from ICE to Robert Connolly dated November 14, 2003 REDACTED	May 21, 2010
17	Mandatory Tracking Requirements from ICE to Joseph Muoio dated January 15, 2004 REDACTED	May 21, 2010

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	CRIMINAL NO.: 03-632
v.)	
)	HON. EDUARDO C. ROBRENO
IAN P. NORRIS)	
)	
Defendant)	

GOVERNMENT'S DISCOVERY		
JACOBUS JOHAN KROEF		
Number	Description	Date Turned Over
1	Information filed September 24, 2003	April 15, 2010
2	Plea Agreement dated September 24, 2003	April 15, 2010
3	Government's Sentencing Memorandum and Motion for Guidelines Downward Departure Pursuant to U.S.S.G. § 5K1.1 dated December 1, 2003	April 15, 2010
4	Judgment and Commitment Order dated December 10, 2003	April 15, 2010
5	Affidavit dated December 10, 2003	April 15, 2010
6	Notes of June 12, 2003 Interview (2 sets)	April 15, 2010
7	Notes of September 22, 2003 Interview (3 sets)	April 15, 2010
8	Notes of December 8, 2003 Interview (1 set)	April 15, 2010
9	Letter to Thomas Washburn, Regional Designator, Bureau of Prisons, dated December 10, 2003	April 16, 2010
10	Redacted Letter to Thomas Washburn, Regional Designator, Bureau of Prisons, dated December 10, 2003	April 17, 2010

Number	Description	Date Turned Over
11	Version 2 of Redacted Letter to Thomas Washburn, Regional Designator, Bureau of Prisons, dated December 10, 2003	April 23, 2010
12	Transcribed Notes of June 12, 2003 REDACTED	May 12, 2010
13	Draft Affidavit of Index #5 produced on April 15, 2010 (handwritten edits belong to Mr. Kroef) REDACTED	May 18, 2010
14	Letter from DHS to Hon. R. Hewitt Pate, Assistant Attorney General Antitrust Division, Re: Jacobus Kroef dated September 26, 2003	May 21, 2010
15	Letter from DHS to Scott Hammond, Antitrust Division, Re: Jacobus Kroef dated September 26, 2003	May 21, 2010
16	Agreement between The Morgan Crucible Company plc and J J A Kroef regarding Employment from 1 st July 2001 (Bates #MC 1358248)	May 21, 2010
17	Agreement between Morgan Holding Netherlands B.V. and J.J.A. Kroef dated 9 May 2001 (Bates #MC 1358249-50)	May 21, 2010
18	Notice Re Electric Drive Project Re Jack Kroef dated 29 January 2001 (Bates #MC 1358251)	May 21, 2010

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
 v.)
)
 IAN P. NORRIS)
)
 Defendant)

CRIMINAL NO.: 03-632

HON. EDUARDO C. ROBRENO

[illegible]

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA