

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

v.

ANIBAL ACEVEDO VILA, et al.,

Defendants

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CRIMINAL NO. 08-036 (PJB)

REPORT OF TELEPHONE CONFERENCE  
AND ORDER

I held a telephone conference at Bangor, Maine, on Friday, April 04, 2008, commencing at 3:00 p.m. and concluding at 3:30 p.m., with the following persons participating:

Maria A. Dominguez, AUSA for the Government

Thomas C. Green, Esq., Brad Barrenson, Esq. and Harry Anduze-Montano, Esq. for  
Anibal Acevedo Vila

Michael M. Mustokoff, Esq. for Salvatore Avanzato

Maria H. Sandoval, Esq. for Jorge Velasco-Mella

Henry E. Hockeimer, Esq. and Kurk Lunkenheimer, Esq. for Robert Feldman

Juan R. Acevedo-Cruz, Esq. for Ramon Velasco-Escardille

Hector Guzman-Silva, Esq. and Rafael Andrade-Ravelo, Esq. for  
Edwin Colon-Rodriguez

Eliseo Roques-Arroyo, Esq. and Michael S. Pasano, Esq. for Luisa Inclan-Bird

Jose R. Aguayo, Esq. and Richard O. Dansoh, Esq. for Miguel Nazario-Franco

Ramon A. Cestero, Jr., Esq. and Roberto Buso, Esq. for Richardo Colon-Padilla

Joaquin Monserrate-Malienzo, Esq. for Jose Gonzalez-Freyre

Counsel for Defendant Anibal Acevedo Vila requested this conference with me to discuss modification of the Discovery Order recently issued. The primary request was that the motion deadlines in this Discovery Order be extended and that counsel jointly prepare a proposed schedule for the court's consideration in two or three weeks. After hearing counsel's arguments, I indicated that I would not change the order and that as of right now it remains in full force and effect. A status conference of all counsel and Judge Paul J. Barbadoro, the District Judge assigned to this case, is scheduled for April 11, 2008. I suggested to defense counsel that if they wanted to present a joint proposal to the court, that conference would be the time and place to do so. At that time, Judge Barbadoro will address scheduling concerns and much is contingent upon what counsel may have to say about a ready for trial date. Judge Barbadoro may address the motion to extend deadlines. If any party believes he or she will need additional extension of the date by which to file dispositive and/or evidentiary motions after the status conference of April 11, a formal motion seeking that extension and setting forth the reasons therefore must be filed. Counsel should not file such motions until after the status conference has taken place.

In any event it is not my intention at this time to change the motion deadline as it pertains to a discovery motion deadline which remains at the end of April. It is my hope that all discovery production be completed in accordance with the discovery schedule. The government is ready to make its first production of discoverable material this coming Monday and counsel will work to insure that production proceeds smoothly. I indicated my continued willingness to address preliminary discovery/production of documents scheduling concerns as they arise, should difficulties arise.

I also indicated on the record that Thomas Gallagher recently entered his appearance on behalf of Defendant Marvin Block, but did not participate in this conference. Mr. Barrenson

requested this phone conference and sent a message to all counsel inviting them to join, most of whom did participate. Discovery orders will have been entered and arraignments completed for all defendants on the indictment by the close of business today.

Finally, I addressed a concern in a related case of USA v. Edwin Colon-Rodriguez, 3:07-cr-414, which does not yet have a discovery order. I indicated that I would not be entering a discovery order in that case, but AUSA Maria Dominguez advised that discovery would be produced in tandem with the discovery on this indictment. It is not the government's intention that this case be joined with the present case and the parties were advised to raise the issue of the ready for trial date for that case at the status conference.

#### CERTIFICATE

This report fairly reflects the actions taken at the hearing and shall be filed forthwith. Any objections to this report shall be filed in accordance with Fed.R.Crim.P. 59(a).

April 4, 2008

/s/ Margaret J. Kravchuk  
U.S. Magistrate Judge