

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

v.

ANIBAL ACEVEDO VILA, et al.

Defendants

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CRIMINAL NO. 08-00036 (PJB)

SUPPLEMENTAL JOINT CASE MANAGEMENT STATEMENT

On April 25, 2008, the United States of America (“the Government”) and Defendants Anibal Acevedo Vila, Candido Negron Mella, Jorge Velasco Mella, Robert M. Feldman, Marvin I. Block, Ramon Velasco Escardille, Edwin Colon Rodriguez, Luisa Inclan Bird, Miguel Nazario Franco, Ricardo Colon Padilla, and Jose Gonzalez Freyre filed a joint case management statement that addressed various discovery, motions practice and trial scheduling issues. *See* Joint Case Management Statement (Dkt. 133-1). During the May 1, 2008 hearing on the joint case management statement, the Court directed the parties to file a supplemental joint case management statement addressing issues pertaining to expert witness testimony. The Government and Defendants Anibal Acevedo Vila, Candido Negron Mella, Jorge Velasco Mella, Robert M. Feldman, Marvin I. Block, Ramon Velasco Escardille, Edwin Colon Rodriguez, Luisa Inclan Bird, Miguel Nazario Franco, Ricardo Colon Padilla, and Jose Gonzalez Freyre¹ have conferred regarding expert witness issues and hereby submit this proposal for the Court’s

¹ Defendants Eneidy Coreano Salgado and Salvatore Avanzato have not participated in the discussion of these issues or in the preparation of this supplemental joint case management statement.

consideration. A proposed order reflecting the terms of this proposal is being filed herewith for the Court's consideration.²

Federal Rule of Criminal Procedure 16 Expert Disclosures. The Government and the Defendants propose that the parties make the initial disclosures required by Federal Rules of Criminal Procedure 16(a)(1)(G) and 16(b)(1)(C) on or before September 2, 2008, unless otherwise ordered by the Court for good cause shown.

The Government and the Defendants propose that the parties make any further disclosures required by Federal Rules of Criminal Procedure 16(a)(1)(G) and 16(b)(1)(C) with respect to expert witnesses whose testimony will be directly responsive to the initial disclosures made by the other party on or before September 23, 2008. Additional disclosures after September 23, 2008 may be permitted by order of the Court for good cause shown.

Motions Pertaining to Expert Witnesses. The Government and the Defendants propose that the parties file any motions pertaining to expert witness testimony (including motions arising under Rules 16(a)(1)(G) or 16(b)(1)(C) of the Federal Rules of Criminal Procedure or Rules 702, 703, 704 or 705 of the Federal Rules of Evidence) on or before October 21, 2008. The Government and the Defendants propose that responses to any such motions be filed on or before October 31, 2008, and that any reply briefs in support of such motions be filed on or before November 10, 2008. The parties also propose that these deadlines may be extended by consent of the parties or by order of the Court.

If the Court determines that a hearing should be held with respect to any motions pertaining to expert witness testimony (including motions arising under Rules 16(a)(1)(G) or

² The proposals set forth in this supplemental joint case management statement and the attached proposed order do not address any issues that may arise if the Government supersedes the current indictment.

16(b)(1)(C) of the Federal Rules of Criminal Procedure or Rules 702, 703, 704 or 705 of the Federal Rules of Evidence), the parties propose that any such hearing begin on December 1, 2008, unless otherwise ordered by the Court.

Dated: May 15, 2008

Respectfully submitted,

/s/ Maria Dominguez Victoriano
Maria Dominguez Victoriano
U.S.D.C. # 210908
Ernesto G. Lopez Soltero
U.S.D.C # 208806
United States Attorney's Office, District of
Puerto Rico
350 Carlos Chardon Avenue
Torre Chardon, Suite 1201
Hato Rey, P.R. 00918
Telephone: (787) 766-5656
Fax: (787) 766-5326
Email: maria.a.dominguez@usdoj.gov;
ernesto.lopez2@usdoj.gov

Daniel A. Schwager
U.S. Department of Justice, Criminal Division
Public Integrity Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
Telephone: (202) 307-3302
Fax: (787) 766-5398
Email: daniel.schwager@usdoj.gov

Attorneys for the United States of America

/s/ Thomas C. Green
Thomas C. Green*
Bradford A. Berenson*
SIDLEY AUSTIN LLP
1501 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 736-8000
Fax: (202) 736-8711
Email: tcgreen@sidley.com;
bberenson@sidley.com

* admitted pro hac vice

Harry Anduze Montano
U.S.D.C. # 114910
HARRY ANDUZE MONTANO LAW OFFICE
1454 Fernandez Juncos Avenue
San Juan, PR 00909
Telephone: (787) 723-7171
Fax: (787) 723-7278
Email: handuze@microjuris.com

Attorneys for Defendant Anibal Acevedo Vila

/s/ Francisco Rebollo Casalduc

Francisco Rebollo Casalduc
U.S.D.C. # 205603
FRANCISCO REBOLLO CASALDUC
LAW OFFICE
P.O. Box 195571
San Juan, P.R. 00919
Telephone: (787) 765-0505
Fax: (787) 765-0585
Email: frc@onelinkpr.net

/s Maria H. Sandoval

Maria H. Sandoval
U.S.D.C. # 201210
MARIA H. SANDOVAL LAW OFFICE
P.O. Box 9878
San Juan, P.R. 00908
Telephone: (787) 282-0281
Fax: (787) 282-0281
Email: mhsandoval@att.net

Attorney for Defendant Candido Negrón Mella *Attorney for Defendant Jorge Velasco Mella*

/s/ Kurt K. Lunkenheimer

Henry E. Hockeimer*
Kurt K. Lunkenheimer*
BALLARD SPAHR ANDREWS &
INGERSOLL, LLP
1735 Market Street
Philadelphia, PA 19103
Telephone: (215) 665-8500
Fax: (215) 864-9470
Email: hockeimerh@ballardspahr.com;
lunkenheimerk@ballardspahr.com

* admitted pro hac vice

Ramon Garcia Garcia
U.S.D.C. # 120511
P.O. Box 9047 Santurce Station
Santurce, P.R. 00908
Telephone: (787) 759-7440
Fax: (787) 763-5223
Email: rmgs@coqui.net

Attorneys for Defendant Robert M. Feldman

/s/ Thomas M. Gallagher

Thomas M. Gallagher*
PEPPER HAMILTON LLP
3000 Two Logan Square
18th & Arch Streets
Philadelphia, PA 19103
Telephone: (215) 981-4068
Fax: (215) 981-4750
Email: gallaght@pepperlaw.com

* admitted pro hac vice

Diego A. Ramos
U.S.D.C. # 127513
Roberto A. Camara Fuertes
U.S.D.C. # 219002
FIDDLER, GONZALEZ & RODRIGUEZ
P.O. Box 363507
San Juan, P.R. 00936
Telephone: (787) 759-3162
Fax: (787) 759-3123
Email: dramos@fglaw.com;
rcamara@fglaw.com

Attorneys for Defendant Marvin I. Block

/s/ Juan R. Acevedo-Cruz

Juan R. Acevedo-Cruz
U.S.D.C. # 120701
Banco Cooperativo Plaza, Suite 501-A
623 Avenue Ponce de Leon
San Juan, P.R. 00917
Telephone: (787) 751-2341
Fax: (787) 751-2795
Email: jracedo@coqui.net;
juanra1@coqui.net

Attorney for Ramon Velasco Escardille

/s/ Hector E. Guzman Silva

Joseph C. Laws
U.S.D.C. # 120306
Hector E. Guzman Silva
U.S.D.C. # 216108
Rafael Andrade Ravelo
U.S.D.C. # 221308
FEDERAL PUBLIC DEFENDER'S OFFICE
241 Franklin D. Roosevelt Avenue
Hato Rey, P.R. 00918
Telephone: (787) 281-4922
Fax: (787) 281-4899
Email: joseph_laws@fd.org;
hector_guzman@fd.org;
rafael_andrade@fd.org

*Attorneys for Defendant Edwin Colon
Rodriguez*

/s/ Michael S. Pasano

Michael S. Pasano*
Paul A. Calli*
CARLTON FIELDS
4000 International Place
100 S.E. Second Street
Miami, FL 33131
Telephone: (305) 530-0050
Fax: (305) 530-0055
Email: mpasano@carltonfields.com;
pcalli@carltonfields.com

* admitted pro hac vice

Eliseo Roques Arroyo
U.S.D.C. # 215706
P.O. Box 190998
San Juan, P.R. 00919
Telephone: (787) 274-2931
Fax: (787) 759-9075
Email: era@mocpr.com

Attorneys for Defendant Luisa Inclan Bird

/s/ Jose R. Aguayo Caussade

Jose R. Aguayo Caussade
JOSE R. AGUAYO LAW OFFICE
U.S.D.C. # 123301
569 Tnte. Cesar Gonzalez St.
San Juan, P.R. 00918
Telephone: (787) 765-0814
Fax: (787) 274-0071
Email: joseraguayo@cs.com

Richard O. Dansoh
U.S.D.C. # 223013
2600 Douglas Road #PH-7
Coral Gables, FL 33134
Telephone: (305) 573-4444
Fax: (305) 446-3538
Email: rodansoh@aol.com

Attorneys for Defendant Miguel Nazario Franco

/s/ Ramon A. Cestero Jr.

Ramon A. Cestero Jr.
U.S.D.C # 115809
RAMON A. CESTERO LAW OFFICE
Tres Rios Building, Suite 300
27 Gonzalez Giusti, San Patricio
Guaynabo, P.R. 00968
Telephone: (787) 250-8040
Fax: (787) 759-6768
Email: racestero@hotmail.com

Roberto Buso Aboy
U.S.D.C. # 111408
BUSO ABOY LAW OFFICE
Westerbank World Plaza, Suite 1905
268 Munoz Rivera Avenue
San Juan, P.R. 00918
Telephone: (787) 250-7171
Fax: (787) 758-2448
Email: busoaboy@gmail.com

Attorneys for Defendant Ricardo Colon Padilla

/s/ Joaquin Monserrate Matienzo

Joaquin Monserrate Matienzo
JOAQUIN MONSERRATE MATIENZO
LAW OFFICE
606 Munoz Rivera Avenue
San Juan, P.R. 00918
Telephone: (787) 764-8960
Fax: (787) 751-7114
Email: jmm@monserratelaw.com

Antonio Moreda Toledo
U.S.D.C. # 121610
MOREDA & MOREDA
P.O. Box 366066
San Juan, P.R. 00936
Telephone: (787) 754-6290
Fax: (787) 753-2768
Email: amoreda@moredalaw.com

Irma R. Valldejuli Perez
U.S.D.C. # 124303
P.O. Box 361228
San Juan, PR 00936-1228
Telephone: (787) 754-6290
Fax: (787) 753-2768
Email: irvalldejuli@moredalaw.com

Attorneys for Defendant Jose Gonzalez Freyre

CERTIFICATE OF SERVICE

I, Bradford A. Berenson, hereby certify that on this 15th day of May, 2008, I caused the foregoing Supplemental Joint Case Management Statement and Proposed Order to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

/s/ Bradford A. Berenson

Bradford A. Berenson*
SIDLEY AUSTIN LLP
1501 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 736-8000
Fax: (202) 736-8711
Email: bberenson@sidley.com

* admitted pro hac vice