

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA, )  
)  
) Case No. CR-10-225 (CKK)  
v. )  
)  
STEPHEN JIN-WOO KIM, )  
)  
Defendant. )

**JOINT NOTICE CONCERNING REVIEW OF  
COMMERCIAL TELEPHONE RECORDS**

As directed by the Court at the September 27, 2013, sealed hearing, the United States and the defendant Stephen Kim (collectively, the “parties”), through their undersigned counsel, submit this Joint Notice outlining the parties’ agreement as to how certain government commercial telephone records discussed at the sealed hearing will be reviewed. The parties have agreed to the following five-step process:

- (1) The United States will identify government personnel who will have no involvement in the prosecution or investigation of this matter going forward (the “filter team”).
- (2) Defense counsel will provide the filter team with a list of telephone numbers, or telephone area codes and exchanges (the “defendant’s list”). The filter team will not share the defendant’s list, or any telephone numbers on it, with any other government employee.
- (3) The filter team will compare the defendant’s list with the two days of government commercial telephone records discussed at the September 27, 2013, sealed hearing (the “government commercial telephone records”).
- (4) If any number on the defendant’s list overlaps with any number in the government commercial telephone records, the filter team will inform counsel for both parties of the quantity of such “hits.” At this stage, the filter team will not inform the parties of which number(s) on the defendant’s list overlapped with the government commercial telephone records, or which government employee’s commercial telephone records resulted in the hit(s).

- (5) If the filter team's comparison of the defendant's list and the government commercial telephone records yields no overlap, then the review of the defendant's list and the government commercial telephone records will be deemed complete. If that comparison yields any hits, then the parties will discuss how to proceed. If the parties are unable to reach an agreement as to how to proceed, they will seek the guidance of the Court at the November 21, 2013, status hearing.
- (6) The defendant reserves the right to submit additional phone numbers to the filter team pursuant to this process going forward.

Dated: October 21, 2013

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 21, 2013, I caused a true and correct copy of the foregoing be served via the Court's ECF filing system to all counsel of record in this matter.

/s/ \_\_\_\_\_  
Jonathan M. Malis  
Assistant United States Attorney