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March 9, 2005

VIA FACSIMILE AND FIRST CLASS MAIL

The Honorable Paul L. Friedman
U.S. District Court for the District of Columbia
E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001

Re: United States v. Walter Anderson, CR 05-66 (PLF)

Dear Judge Friedman:

I am writing to advise you about the events that occurred in the last twenty four hours that necessitate this letter. I was advised by Magistrate Judge Kay's chamber to direct the issue to you. I have advised the Assistant U.S. Attorney and DOJ Attorney on the case of the issue as well.

Our client Mr. Anderson was moved from the Correctional Treatment Facility in Washington, D.C. to the Montgomery County Detention Center in Rockville, Maryland some time Tuesday morning. My colleague, Hwan Kim, visited Mr. Anderson on Tuesday afternoon and noted that there was nothing amiss. I was informed by John Moustakas, who has been serving as counsel to Mr. Anderson, that Ms. Karen Brown from the U.S. Marshal's Office contacted him some time after 6:00 pm to inform him that Mr. Anderson would be moved again today, March 9. According to Mr. Moustakas, Ms. Brown stated that this additional move was based upon a "security breach" and was related to media requests being made to the Montgomery County Detention Center. We were unable to contact Ms. Brown last evening or early this morning.

This morning I arrived at the Montgomery County Detention Center at approximately 8:30 am to see my client, Mr. Anderson. After he was brought to a room to meet with me and we spoke for approximately 10 to 20 minutes, the back door of our meeting room was opened and at least two Montgomery County Detention Center officers interrupted our attorney-client meeting and advised us that Mr. Anderson "was leaving now." When I tried to ask the officers where he was going and why, I was told that they were acting under the instruction of the U.S. Marshal's Office. They then physically lifted Mr. Anderson from his chair, closed the door and left me in the meeting room. When I asked the Detention Center officials what was going on and tried to

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explain my need to see my client for tomorrow's hearing, they said they did not know and it was in the hands of the U.S. Marshals and they escorted me out. No one would tell me where our client was being taken or why or on whose authority.

While these events were taking place, my colleague, Sarah Loope, contacted the U.S. Marshal's Office. At approximately 9:30 am, Ms. Loope spoke to Ms. Edna Murphy. When asked about the two moves of Mr. Anderson, Ms. Murphy explained that Judge Kay had issued an order in which he ordered that Mr. Anderson be "taken outside the Department of Corrections." According to Ms. Murphy, Judge Kay had told her boss, Ms. Karen Brown, that Mr. Anderson was to be moved so that "he could meet with his attorneys and handle paperwork." Ms. Murphy then stated that Mr. Anderson was going to be moved to the Northern Neck Regional Jail in Warsaw, Virginia (which is over two hours outside Washington, D.C.) because his case is "high-profile" and that they were concerned about all of the media contacts that the Montgomery County facility is being forced to handle. Ms. Murphy also stated that she was aware that Mr. Anderson's hearing before this Court is set for tomorrow at 1:45 pm. Ms. Murphy then stated that Ms. Loope would need to speak with Ms. Brown.

At approximately 10:00 am, Ms. Loope called Ms. Brown and explained what she understood to be the facts involved in these events. Ms. Brown stated that she was not aware that there was an attorney-client meeting in progress. She acknowledged that the meaning behind Judge Kay's order may have been to allow Mr. Anderson to "handle documents" and meet with his counsel. Ms. Brown also explained that Judge Kay had issued an order for Mr. Anderson to be moved outside of Washington, D.C. but did not specify to where he should be moved. She stated that she complied with the order by moving him to the Montgomery County Detention Center. When questioned on the reason for the move today from the Montgomery County facility, Ms. Brown repeated stated that it was because of a "security breach." She stated that when Mr. Anderson was moved to the Montgomery County facility yesterday, there were members of the media waiting at the facility and that this was a security breach. She further explained that she did not learn of the media's presence until late afternoon and had to make the arrangements for Mr. Anderson to be moved today rather than yesterday. Finally, Ms. Brown told Ms. Loope that Mr. Anderson was being held currently at the U.S. District Court for the District of Columbia and that his attorneys could meet with him until 3:00 pm today.

We will raise these odd events and their basis and the U.S. Marshals' authority at tomorrow's hearing. However, in the meantime, we have not been given a consistent or

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straight story as to what was going to happen to Mr. Anderson. We do not want him moved to some remote location in Virginia this afternoon, only to have to be woken up in the early hours of the morning to be transported back to D.C. for tomorrow's hearing. Whether these events have occurred inadvertently or as some form of punishment, they should not have occurred at all.

In light of these events and the fact that Mr. Anderson is due to appear in Court tomorrow at 1:45 pm, we respectfully request that Mr. Anderson be held in Washington, D.C. until the hearing or returned to the Montgomery County Detention Center in Rockville, Maryland. Given the time constraints, we had no alternative to bring this to your immediate attention, as we have done to the government.

Respectfully,

A handwritten signature in black ink that reads "Abbe David Lowell / SQA". The signature is written in a cursive, slightly slanted style.

Abbe David Lowell

cc: Susan B. Menzer, Esq. (via facsimile)
Karen E. Kelly, Esq. (via facsimile)