

GUNLICKS LAW, L.C.

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February 21, 2008

By Facsimile & US Mail

Tyler G. Newby, Esq.

U.S. Department of Justice

Criminal Division, Suite 600

1301 New York Avenue, NW

Washington, DC 20530

RE: United States of America v. Daniel Dove
Case No.: 2:07CR00015

Dear Tyler,

I am writing to inquire as to the status of discovery from the United States ("Government") in this matter. The first and last installment of discovery materials was provided on December 19, 2007. Since then, I have telephonically inquired regarding the status of outstanding discovery materials numerous times. The Government has confirmed that further materials are outstanding, including but not limited to images of the Chicago based FDC server and of the DVD's and CD's seized from Mr. Dove's residence during the search of the property. On January 30, 2008, you left a voice mail in which stated that the materials were being processed, that you hoped to have the materials available for your review by the end of that week or hoped more firmly to receive the materials by the end of the next week at the latest, and that you would keep me updated and that I should expect the materials shortly. I last heard from you regarding the status on February 7, 2008 in a voice mail you left in response to my call on the same day, in which you stated that you expected the materials very soon. Since then I have left follow-up messages on February 11, 15 and yesterday, February 20, but have as yet not received a reply or update.

I understand from our conversations that some of these materials are not ready for discovery because they still need to be processed, although the Government has been in possession of some of the discovery materials for over two years and although there have been a number of proceedings against other individuals in relation to the allegations in this matter. I have understanding that you are reliant on other Government agents to complete the discovery process, but submit that it is imperative that my client be provided the complete discovery materials in this matter given that his defense and his decisions on how and if to proceed to trial are entirely dependant on his review of the discovery materials. Moreover, considering that the provision of discovery was a basis for the continuance granted by the Court in this matter, I would expect the Government to proceed with deliberate haste to complete the discovery process and prevent any further delay in the preparation of Mr. Dove's defense.

In addition, as I mentioned in the phone messages that I left on February 11 and 15, 2008, Mr. Dove is requesting that the Government provide any and all sound recordings of any and all statements he made to the Government. Given the amount of time that has passed since

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he made those statements, he requires the sound recordings to refresh his memory of events and confirm with absolute certainty whether or not the written versions of his statements accurately reflect what was said.

Thank you, I look forward to hearing from you soon

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael B. Gunlicks", written in a cursive style.

Michael B. Gunlicks

cc: Mr. Daniel Dove
File