
From: Burton, Faith (SMO) (JMD)
To: Scheel, Ann (USAAZ)
Sent: 8/12/2011 2:34:56 PM
Subject: RE: Terry Family Victim status and proposed interview of Dennis on 8/18

Thanks – want to make sure that I understand : under the CVRA, victim families are entitled to certain information and to have certain input, which you all are providing to them in the Osorio case, right? If so, is there a written record that you have agreed to their CVRA vic status in that case? I assume that the CVRA does not provide to intervention by victims, but instead affords them certain rights that protected without the need for such intervention and that you all have agreed that they are entitled to those CVRA rights in the Osorio case. Thanks for educating me about this.

Just left you a vm – looks like Dennis's interview could run through Friday am; we'll arrange a hard stop at 1 pm, and it may not go past Thursday – but we just wanted to provide for Friday am overage if necessary. Please call me when you can. Thanks.

From: Scheel, Ann (USAAZ)
Sent: Friday, August 12, 2011 2:23 PM
To: Burton, Faith (SMO)
Subject: RE: Terry Family Victim status and proposed interview of Dennis on 8/18

Faith-

I am trying to track down the response that was actually filed. I want to be clear however, that we did oppose the motion to intervene as being contrary to the CVRA and case law and that such a motion was unnecessary because the USAO had been in contact with the victim's family and had provided them with all information they are entitled to regarding the case.

With regard to the [ATF] case in Phoenix...we did oppose that motion as well because the Terry family is not a victim as defined by the CVRA. I can track that motion and response down as well. The CVRA, in any event, does not allow a victim to intervene in a case the way they have requested.

Ann Birmingham Scheel
First Asst. U.S. Attorney
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DesR: (602) 514-7518
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From: Burton, Faith (SMO) (JMD)
Sent: Friday, August 12, 2011 10:19 AM
To: Scheel, Ann (USAAZ)
Subject: RE: Terry Family Victim status and proposed interview of Dennis on 8/18

Thanks, Ann, and yes, please send your response as well.

[DP]

[DP]

Also, we've talked with HOGGR staff this am and it sounds like they're agreeable to the transcribed interview of Dennis on Thursday, 8/18, which could run over to Friday morning. Is that OK? We'd like to work with Dennis here on Wed. to prepare. Is that workable? Thanks. FB

From: Scheel, Ann (USAAZ)
Sent: Friday, August 12, 2011 1:10 PM

To: Burton, Faith (SMO)

Subject: Fw:

Here it is. Would you also like our response.

From: Evans, John (USAAZ) 3

Sent: Friday, August 12, 2011 10:58 AM

To: Scheel, Ann (USAAZ)

Subject: RE:

<<Motion to intervene.pdf>> Per your request.

From: Scheel, Ann (USAAZ)

Sent: Thursday, August 11, 2011 4:43 PM

To: Evans, John (USAAZ) 3

Subject:

Can you send me Paul Charlton's motion re: CVRA in Osario?

Ann Birmingham Scheel

First Asst. U.S. Attorney

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