

JUDGE ROBERT J. BRYAN

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,	)	No. CR15-5351RJB
	)	
Plaintiff,	)	
	)	CERTIFICATION OF COMPLIANCE
v.	)	TO CrR 16 IN SUPPORT OF THIRD
	)	MOTION TO COMPEL DISCOVERY
JAY MICHAUD,	)	
	)	
Defendant.	)	

COLIN FIEMAN, hereby certifies that:

The facts alleged in the Third Motion and Memorandum in Support of Motion to Compel Discovery are true and correct;

1. On September 9, 2015, the defense requested a copy of the programming code for the “Network Investigative Technique” (NIT) that was deployed on Mr. Michaud’s computer. The Government declined to produce the code.

2. On November 20, 2015, the defense filed its First Motion to Compel Discovery (Dkt. 54). The Court scheduled a hearing on the motion for December 14, 2015.

3. On December 10, 2015, the Government notified the defense that it was withdrawing its objection to disclosing the NIT code.

