



U.S. Department of Justice

*United States Attorney
Southern District of New York*

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 8, 2016

Via ECF and By Hand

Honorable Richard M. Berman
United States District Judge
United States District Court
Southern District Of New York
500 Pearl Street
New York, NY 10007

**Re: United States v. Evgeny Buryakov, a/k/a "Zhenya,"
15 Cr. 73 (RMB)**

Dear Judge Berman:

The Government submits this letter on behalf of both parties pursuant to the Court's direction at the conference of December 21, 2015 that the parties continue the meet and confer process with respect to the defense's motion to take a Rule 15 deposition of the defendant's wife, Marina Buryakova, and in particular the defense proposal to take such a deposition in Ireland, and report to the Court.

Based on the advice of an Irish solicitor, the defense's view is that a deposition of Ms. Buryakova in Ireland can be accomplished expeditiously through a request from this Court to the High Court of Ireland for international legal assistance, with notice to the Irish Department of Foreign Affairs. The defense's view, again based on the advice of an Irish solicitor, is that such a deposition can be conducted in an Irish solicitor's office, with American oaths administered to the witness and interpreters and with American-style questioning of the witness. The defense is prepared to submit to the Court a proposed order authorizing such a deposition, and a proposed request for assistance addressed to the High Court of Ireland. The defense has shared a draft order and letter of request with the Government.

With respect to how a request for such a deposition would be received in Ireland, and what procedures would apply during such a deposition, the Government has asked for guidance from Irish government officials. So far, the response has been that this is a novel question for the Irish government, but substantive guidance has not yet been forthcoming. The

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Government continues its efforts to obtain such guidance and will report to the Court on what, if any, progress it has made in that regard at the upcoming conference on January 12.

The defense has no objection to giving the Government until January 12 to obtain more information. Absent a resolution of the meet-and-confer process by that date, the defense will be prepared to submit to the Court its proposed Order and Letter of Request and will seek to have the Court proceed given the pending trial date. Both parties otherwise reserve their arguments relating to the merits of Defendant's Rule 15 motion and the appropriateness of conducting a deposition in Ireland.

Respectfully Submitted,

PREET BHARARA
United States Attorney

By: _____/s/_____
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(Via Email)