



U.S. Department of Justice

United States Attorney  
District of New Jersey

402 East State Street, Room 430  
Trenton, New Jersey 08540

609/989-2354

October 27, 2006

Mr. William J. Hughes, Jr.  
Cooper Levenson Law Offices  
1125 Atlantic Avenue, 3rd Floor  
Atlantic City, NJ 08401

Re: United States v. Albert Poet  
Crim. No. 06-643 (AET)

Dear Mr. Hughes:

Further to my letters of September 3, 2006, October 11, 2006 and October 17, 2006, the United States hereby supplements its discovery as required by Rule 16(c) of the Federal Rules of Criminal Procedure and the Court's Order For Discovery And Inspection. Please find enclosed the following documents recently received by the United States:

- a. Updated disc of Toxin Research International materials. This will replace the disc previously provided on October 17, 2006;
- b. 2 CD's containing additional information pertaining to TRI investigation.

Please note that the government's position remains that information stemming from the investigation of Toxin Research International ("TRI"), other than that information, previously disclosed, which directly relates to the sales of TRI's product to Dr. Poet, is irrelevant to the case at hand.

Additionally please find enclosed:

- c. Copies of checks dated 3/22/05 (\$98,069.00), 3/22/05 (\$1,060.00), and 6/28/05 (\$5,172.48) from Albert Poet, M.D. P.A. to Reliant Laser.

### Disclosure by the Defendant

The Government hereby again requests reciprocal discovery under Fed. R. Crim. P. 16(b). Specifically, we request that you allow inspection and copying of: (1) any books, papers, documents, data, photographs, tangible objects, buildings or places, or copies or portions of any of these items that are in the defendant's possession, custody, or control and which the defendant intends to use in the defendant's case-in-chief at trial; and (2) any results or reports of any physical or mental examination and of any scientific test or experiment that is in the defendant's possession or control and which the defendant intends to use in the defendant's case-in-chief at trial or which was prepared by a witness whom the defendant intends to call at trial. We further request that you disclose a written summary of testimony you intend to use under Fed. R. Evid. 702, 703 and 705 as evidence at trial. This summary should describe the opinions of the witness, the bases and reasons therefore, and the witness's qualifications.

Pursuant to Fed. R. Crim. P. 26.2, the Government also requests that the defendant disclose prior statements of witnesses the defendant will call to testify. We request that such material be provided on the same basis upon which we agree to supply the defendant with Section 3500 material relating to Government witnesses.

We wish to remind you that Fed. R. Crim. P. 12.2(a) & (b) requires you to provide the Government with written notice if the defendant intends to rely on the defense of insanity at the time of the alleged crime or intends to introduce expert testimony relating to a mental disease, defect, or other condition bearing upon the issue of whether he had the mental state required for the offenses charged.

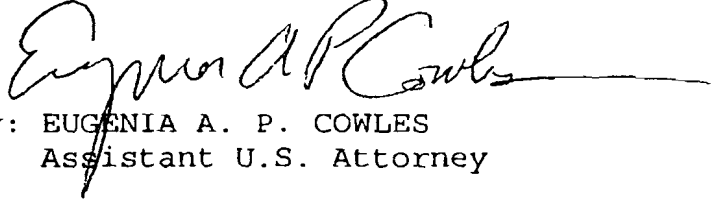
### Sentence Reduction for Acceptance of Responsibility

This Office will not move for the additional one-point reduction under the Sentencing Guidelines available for defendants who plead prior to the Government's initiation of trial preparations, U.S.S.G. § 3E1.1(b), in the event your client has not entered a plea of guilty before the filing of pre-trial motions.

Please contact me at your earliest convenience concerning the possible disposition of this matter or any further discovery which you may request.

Very truly yours,

CHRISTOPHER J. CHRISTIE  
United States Attorney

A handwritten signature in cursive script, appearing to read "Eugenia A. P. Cowles", with a long horizontal flourish extending to the right.

By: EUGENIA A. P. COWLES  
Assistant U.S. Attorney

Encls.