

EXHIBIT 1

From: [Restaino, Gary \(USAAZ\)](#)
To: [Maria Weidner](#); zachary_cain@fd.org
Cc: [Binford, Matthew \(USAAZ\)](#); [Escalante Konti, Fernanda \(USAAZ\)](#)
Subject: Costanzo test email
Date: Wednesday, February 28, 2018 5:54:00 PM

1. I still haven't received your email from earlier today, or the re-send. Which is fine; we get what you're filing.
2. But I do want to make sure you've been getting our emails. If not I guess I can find a fax machine.
 - a. I sent the letter last night that identifies the specific stuff we would use from the computers. From the context of our conversation earlier, I think you did get it.
 - b. And then I attached the actual exhibits in another email last night.
 - c. And then today around 3pm Matt sent an email about an additional witness name (and I added a polite "please remember to get us the joint packet" reminder).
 - d. And finally today around 3:06pm legal assistant Yvonne Garcia sent the cover letter that accompanies the hard drive that was on its way back to you.
3. More on the *Brady* issue, and I appreciate that you're not raising those concerns with respect to the computer evidence: We think Exhibit 28 is a computer used by Bob Podolski. We took a look at the outlook folders, and the emails belong to him. The larger outlook file or its backup does have a small folder of Morpheus communications; nothing rang bells from either an inculpatory or exculpatory perspective for us.
4. Send me a quick "yup we got it" email if in fact you get this.

Gary

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