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November 26, 2018

VIA ECF

Honorable Jose L. Linares
Chief Judge, United States District Court
for the District of New Jersey
Martin Luther King Jr. Federal Building & Courthouse
50 Walnut Street, P.O. Box 999
Newark, NJ 07101-0999

Re: *United States v. Bergrin*
No. 09-cr-369 (JLL)

Dear Chief Judge Linares:

I write with regard to our filing of last Wednesday, November 21, 2018. It has come to my attention that an exhibit filed in conjunction with our reply brief—specifically, Exhibit 4, a Declaration from Savina Sauseda—was not scanned properly, with the result that some of Ms. Sauseda's handwritten annotations were cut off. Please find a properly scanned version of the same declaration attached as a replacement for the former Exhibit 4.

Thank you for your time and consideration throughout the course of this matter.

Respectfully submitted,

/s/ Lawrence S. Lustberg

Lawrence S. Lustberg

cc: Mark E. Coyne, Esq. (by ECF and Email)

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES

plaintiff

v.

PAUL W. BERGRIN

defendant.

Honorable Jose R. Linares

Criminal No. 09-369

DECLARATION OF
SAVINA SAUSEDA

I, SAVINA SAUSEDA, of full age, do certify that:

1. My name is Savina Sauseda. I used to be in a relationship with Oscar Cordova, who I now understand was an informant for the federal government in its investigation of Paul Bergrin.
2. Previously, I spoke with an investigator working for Paul Bergrin named Mike McMahon. I told Mr. McMahon a number of things about Oscar, including the fact that, after we stopped seeing each other, I found a recording device in the cushions of a couch in my home. I told Mr. McMahon that I was able to play this device, and that I listened to it and found that it had ~~over twenty~~ ^{a lot of} recordings dating back to 2006. What I told Mr. McMahon about this recording device, and what I heard on it, is absolutely true.
3. I told Mr. McMahon that I thought this device was a "Hawk" brand recording device. I am not completely certain whether the device was a Hawk or not. It did not say "Hawk" on it. But sometime after discovering this device, I looked on the internet for pictures of recording devices and I found one called the Hawk that looked like the device I had found.
4. The recording device had a jack for earphones and I was able to play back the recordings on it. I listened to the recordings using earphones that were plugged into the jack.

**I do not remember exact # of entries, but I do remember the face of the recorder showed dates and length of recording.*

5. I no longer have possession of this recording device. At some point, I put all of Oscar's things together and threw them away.
6. I am making this declaration of my own free will. No one has pressured me to make this declaration, nor has anyone promised me anything in return for it. In fact, being at all involved in this case is painful for me, as it requires me to think back to an unhappy time in my life, as my relationship with Oscar was abusive. However, I decided to contact attorney Lawrence Lustberg on my own because I asked myself whether what I knew might be really important, and it seemed to me that it might be. It seemed to me that Oscar might have been involved in manufacturing evidence against ~~an~~ ^{apparently} innocent person, Paul Bergrin. That is why I reached out to Mr. Lustberg.
7. I swear that all of the statements in this declaration are true and accurate to the best of my knowledge. I am aware that if any statement in this declaration is willfully false, that I may be subject to punishment.


Savina Sauseda

Dated: November 20, 2018