

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CRIMINAL DIVISION

Corrected Page

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UNITED STATES OF AMERICA : Docket No.: M-4113-03
:
vs. :
:
ELENA RUTH SASSOWER, :
:
Defendant. :
: March 22, 2004
-----X Washington, D.C.

The above-entitled action came on for a hearing before the Honorable BRIAN HOLEMAN, Associate Judge, in Courtroom Number 218.

APPEARANCES:

On behalf of the Government:

AARON MENDELSON, Esquire
JESSIE LIU, Esquire
Assistant United States Attorney

On behalf of the Defendant:

ELENA SASSOWER, Pro Se
White Plains, New York

MARK GOLDSTONE, Esquire
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Washington, D.C.

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P R O C E E D I N G S

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THE COURT: Who's appearing for the Government?

MR. MENDELSON: Good afternoon, Your Honor. Aaron Mendelsohn for the United States. M-e-n-d-e-l-s-o-h-n.

MS. LIU: Good afternoon, Your Honor. Jessie Liu for the United States. My last name is spelled, L-i-u.

THE DEFENDANT: Elena Sassower, Defendant-Pro Se.

THE COURT: Very well. This matter is currently set for trial on this calendar on April 5th. It's my understanding that there has been a motion to continue filed. Mr. Goldstone, I'll hear from you on that issue.

MR. GOLDSTONE: Yes, Your Honor. Thank you. I had filed a motion to continue this trial date beyond the April 5th trial date and in the motion I set forth the reasons. I can briefly summarize those reasons as that I have had a long-standing family vacation that was planned to be in Philadelphia, New York the entire week of April 5th through the 12th, and I would not be available on the date that had been set for trial which is April 5th. And I would ask that the Court move the trial date to May the 3rd, which is a date that all parties on the defense side would be ready for. And my motion, you know, further describes my schedule and my time constraints and so forth, which I'll direct the Court to if it doesn't have a copy handy.

THE COURT: No, I have a copy and I've read it, in

1 fact.

2 MR. GOLDSTONE: Right. I think the major issues I
3 would have, Your Honor, is that the trial date in this case,
4 which is not going to be a one-day case, was set without my
5 input, and that I definitely will need until that May 3rd
6 date, given my calendar and given the complexity and the time
7 this case is going to take in order to be prepared for
8 trial.

9 The other issue that is outstanding is, of course,
10 the matter of subpoenas. We have --

11 THE COURT: No, no, no. We'll address that
12 separately. The first issue that we're gonna address is the
13 date of the trial. I don't see a subpoena as being at all
14 related to this issue of a continuance. We'll deal with that
15 as a separate Discovery issue.

16 Let me hear from the Government on this
17 continuance.

18 MS. LIU: Your Honor, of course, as the Court knows
19 we've set this trial date for April 5th. I received a
20 message from Mr. Goldstone shortly after the original March
21 1st date at which he proposed a new trial date. He said he
22 couldn't make the April 5th date. April 12th was one of the
23 dates that he proposed and I told him that I would be
24 amenable to April 12th. But I would prefer not to have this
25 case moved into May because it is almost a year old and I

1 think at some point in May it will become a year old.

2 I called all of my witnesses and I ascertained that
3 they would be available for the 12th. I then told
4 Mr. Goldstone that I would agree to a continuance to April
5 12th and at that point he told me that he no longer wanted
6 April 12th, that he wanted the trial date set for May 3rd.

7 And as I said briefly in my motion I'm not entirely
8 clear why that kind of extension is necessary. We were
9 originally going to go to trial on March 1st. Ms. Sassower's
10 father fell ill on the 27th -- I think it was 26th of
11 February, but it was only a few days before the trial date
12 that we had to continue the original trial date, so in my
13 mind most of the preparations in this case should have been
14 done already.

15 And for those reasons, Your Honor, especially
16 because of the age of this case and because it has been set
17 for trial before, the Government's position is that we should
18 move as soon as all parties are available and it seems that
19 April 12th is a day that everyone is available.

20 THE COURT: Very well.

21 THE DEFENDANT: May I be heard?

22 THE COURT: Yes.

23 THE DEFENDANT: As it's been pointed out
24 Mr. Goldstone is on trial on April 19th. He will be
25 returning from his vacation out of the office on the 12th.

1 He has that week in which to prepare for a seven defendant
2 trial the following week. And it is anticipated that this
3 trial will consume a full week. As he has --

4 THE COURT: Well -- excuse me. I don't know where
5 that anticipation, from whence that grew. That based upon my
6 understanding of the information we were talking about a
7 disruption of a Senate proceeding; this case is not going to
8 take a week to try. So it's a faulty premise, but go ahead.

9 THE DEFENDANT: They have shown no prejudice and
10 certainly the difference between April 12th and May 3rd is
11 de minimis.

12 I have rights and those rights include the calling
13 of witnesses. It is -- is has been set forth that Congress
14 will out-of-session on April 12th, that week, and,
15 presumably, those Senators and staff will not be available.

16 As indicated we have been advised by Senate legal
17 counsel that they intend to make a motion to quash nine
18 subpoenas that have been served. As yet we have not received
19 that motion to quash. But I certainly have no background in
20 such a motion. And when I receive it we'll have to spend
21 considerable amount of time in the library researching the
22 law, preparing opposition. I assume the Government would
23 want to respond and I would assume Your Honor would want a
24 chance to --

25 THE COURT: Well, Ms. Sassower --

1 THE DEFENDANT: -- review the legal issues.

2 THE COURT: -- let us make something very clear. I
3 don't want you to make any assumptions as to what the Court
4 would wish to do. I'll make my desires and orders very clear
5 so that everybody understands them.

6 What I want to hear right now is your argument that
7 has not already been made by Mr. Goldstone with regard to the
8 matter being continued to May 3rd. Now do you have any other
9 input on that issue before I address Mr. Goldstone?

10 THE DEFENDANT: I do have a matter.

11 THE COURT: Then --

12 THE DEFENDANT: And that takes the form of a
13 motion.

14 I believe this Court has no jurisdiction to proceed
15 further.

16 THE COURT: Very well.

17 THE DEFENDANT: And, ahh --

18 THE COURT: Is there anything further?

19 THE DEFENDANT: Well, perhaps, you would like me to
20 address the reasons why I believe this Court shouldn't have
21 jurisdiction.

22 THE COURT: Well, let's put it this way,
23 Ms. Sassower, if you have a motion that is written, and I
24 believe that your hand was just on a document, --

25 THE DEFENDANT: Yes, sir.

1 THE COURT: -- there's no reason, whatsoever, that I
2 can't address that -- the written motion.

3 My presumption is that if you had filed it --

4 THE DEFENDANT: It will be filed.

5 THE COURT: -- then you have then served it on the
6 Government --

7 THE DEFENDANT: It will be served.

8 THE COURT: -- and so I'd be interested to hear what
9 the Government has to say. But I will await until I receive
10 that to address it, at all.

11 I am solely concerned, right now, with setting a
12 trial date. I don't care to hear about the lack of
13 jurisdiction argument. That's not a matter that I'm going to
14 entertain at this juncture. So unless you have something
15 else to shed on this May -- April 5TH, May 3RD, April 12th
16 issue, then I'll call on Mr. Goldstone.

17 THE DEFENDANT: Well as I draw to the Court's
18 attention the Government has not indicated any prejudice by
19 the setting of the May 3rd date.

20 THE COURT: Ms. Sassower, you made that argument
21 before. I'm not asking for repetition. I just want to hear
22 anything new that you have to add. Mr. Goldstone?

23 MR. GOLDSTONE: Yes, Your Honor.

24 THE COURT: With regard to the issue of April 12th,
25 it's my understanding that there was a prior, ahh --

1 MR. GOLDSTONE: Communication.

2 THE COURT: -- communication between you and the
3 Government --

4 MR. GOLDSTONE: There was.

5 THE COURT: -- stating your preference for an April
6 12th date. And I'd like to hear from you with regard to why
7 at one point your vacation ended before April 12th,
8 presumably, and now April 12th is foreclosed as a date for
9 trial in this case.

10 MR. GOLDSTONE: Well, I do apologize for that, Your
11 Honor. When I did communicate with Ms. Liu, I did suggest
12 three trial dates. One -- the only one that is in question
13 was the April 12th date. I did suggest to her that I would
14 be available on that date. What has changed? Nothing has
15 changed, Your Honor. I think what changed was when I
16 realized I was going to be returning on the evening of the
17 11th, be out-of-town without any possibility of giving
18 responsible counsel to Ms. Sassower, that's when I said, you
19 know what, I cannot do April 12th.

20 I immediately got back in touch with Ms. Liu and I
21 said let's focus on the other two dates that were agreeable
22 on my side. It was not an attempt to manipulate the Court.
23 It was not an attempt to manipulate Ms. Liu. It was not an
24 attempt to gain unfair advantage. It was simply an -- you
25 know, my own ability -- my own intent to squeeze more into my

1 work week than is humanly possible. When I actually looked
2 at returning the evening of April 11th, there's no way in
3 heck that I can be properly prepared for trial of this
4 significance.

5 THE COURT: Very well. Ms. Liu, on the specific
6 issue of the April 12th proposed trial date, I'd like to know
7 about the availability of your witnesses. Is it your
8 representation to the Court that you have witnesses that --
9 and they're all available on the 12th?

10 MS. LIU: Our witnesses are all available on the
11 12th. After I called them to tell them that Mr. Goldstone
12 had suggested the 12th my understanding is that some of them
13 scheduled some training for the week before thinking that the
14 Defendant and her counsel would not be available. So April
15 5th may be now a little bit difficult for us. But I do know
16 for a fact that everybody is available on April 12th.

17 THE COURT: All right. What I'd like to know,
18 Ms. Liu, if you can -- if you can speak to this, is whether
19 there was any change in your witnesses position given that we
20 had previously ordered April 5th and now we're contemplating
21 some other date. Was there any change in position by
22 witnesses to make themselves available during the period of
23 April 5th and April 12th?

24 MS. LIU: Your Honor, I had one witness who was
25 scheduled to be on leave from April 5th through the 19th. And

1 when we first heard that Your Honor had set April 5th as
2 trial date we informed the witness of that fact and she
3 rescheduled her leave so that she would be available -- to be
4 available on the 5th. She will also be available the week of
5 the 12th. She has now set her leave off for later in the
6 Spring and I'm not sure exactly when that is. But when we
7 talked about the 12th she said she would be available on that
8 date and that she had rescheduled her vacation and she was
9 pretty reluctant to reschedule it again, Your Honor. But I
10 don't know whether that vacation now encompasses May 3rd.

11 THE COURT: Very well.

12 (Pause)

13 THE DEFENDANT: Where do my right to witnesses fit
14 into this picture?

15 THE COURT: Ms. Sassower, I haven't called on you.
16 And in this courtroom I'll recognize you before you speak.
17 I'm dealing with the calendar management issue here and I'd
18 like to address that before going forward.

19 THE DEFENDANT: This case is not trial-ready, Your
20 Honor. Not remotely.

21 THE COURT: All right. Ms. Liu, given the request
22 of May 3rd that was made in Mr. Goldstone's motion, I
23 understand that you filed an opposition, did you have the
24 opportunity to speak with your witness, witnesses with
25 specific regard to the 3rd?

1 MS. LIU: Your Honor, I didn't do that and perhaps
2 I should have. But when I received Mr. Goldstone's message,
3 April 12th was one of the dates he suggested and I assumed
4 that would be okay. And that was the one that I was strongly
5 in favor of so I asked them about the 12th. And it wasn't
6 until I told Mr. Goldstone that the 12th was acceptable to us
7 that I heard that it was no longer acceptable to him.

8 THE COURT: Very well. Okay. Mr. Goldstone,
9 unfortunately, I guess for you, my position in this case is
10 that we were prepared to have this case go to trial on the
11 1st of March. And shortly before the case was to go to
12 trial, we were notified of Ms. Sassower's emergency.

13 Having formerly practiced as a lawyer my experience
14 has been that the trial preparation that would have taken
15 place in anticipation of that March 1st trial date frankly
16 would or should have taken place at the time that we were
17 notified of the emergency, therefore, I'm not convinced by
18 this lack of preparation argument that I hear from the
19 defense.

20 I'm going to set the trial date in this case for
21 April 12th. In view of the trial date of April 12th I am
22 going to order that the parties exchange proposed voir dire
23 questions by March -- strike that; April 2nd. And I would
24 like any objections to those voir dire questions filed by
25 April 8th.

1 On the morning of April 12th as a preliminary matter
2 I will address the voir dire questions and any objections,
3 thereto. All right --

4 THE DEFENDANT: May I be heard, Your Honor?

5 THE COURT: Just a minute, please. I'm in the
6 middle of a ruling.

7 With regard to any preliminary matters that the
8 parties anticipate I'd like a brief listing of those matters
9 also filed on April 8th, that way the Court will have
10 essentially the weekend to address these preliminary matters
11 and we won't appear on the 12th having received these matters
12 cold.

13 So exchange voir dire questions on April 2nd.
14 Objections to the other parties voir dire questions on the
15 8th. Also on the 8th a listing of preliminary matters for the
16 Court's consideration.

17 Now with regard to the specific issue of
18 outstanding trial preparation in the nature of subpoenas
19 served upon members of Congress and their staff,
20 Mr. Goldstone, I'll hear from you.

21 THE DEFENDANT: Excuse me. I am Pro Se. He is not
22 my lawyer representing me. He is my legal advisor.

23 THE COURT: Very well. Then I'll hear from you.
24 And if I'm going to hear from you then I assume that
25 Mr. Goldstone will only be discussing matters with you and I

1 will then directly address you.

2 THE DEFENDANT: Absolutely.

3 THE COURT: Very well. On the issues of the
4 subpoenas that have been served upon members of Congress,
5 it's my understanding from your prior statement that you had
6 not received motions to quash from the, ahh --

7 THE DEFENDANT: Correct, Your Honor.

8 THE COURT: -- Congressional office that handles
9 these things. Well, the Court hasn't received any motions to
10 quash, either.

11 I anticipate that we will receive motions to quash.
12 And at the time that those motions are filed presumably they
13 will be served and I will rule on the papers.

14 THE DEFENDANT: Well won't I need time to put in
15 opposition and to do research?

16 THE COURT: Well you can file your opposition,
17 Ms. Sassower, but the thing that you must understand is that
18 you have chosen to represent yourself, and, therefore, I will
19 be holding you to the same standard that I would hold any
20 other lawyer who appears in front of me. And that being the
21 case, that being the case, following your receipt of the
22 motion to quash, you may file your response to it and I will
23 certainly consider it in my ruling.

24 It's very difficult for me to give you a timetable
25 in that the Court itself has not received a motion to quash.

1 But the motion will be addressed prior to beginning the
2 trial.

3 THE DEFENDANT: Am I not correct in assuming that
4 when motions are filed the adverse side has ten days?

5 THE COURT: Well the --

6 THE DEFENDANT: Isn't that the customary procedure?

7 THE COURT: Unless, of course, the Court exercises
8 its discretion and requires a shorter period.

9 THE DEFENDANT: Why would the Court do that when --
10 in this case?

11 THE COURT: Well I would do it in this case because
12 I have already reviewed the law in this case and I am waiting
13 to see what the motions hold.

14 I don't need to review the law. What I need to see
15 is your opposition.

16 THE DEFENDANT: That's right. And I would have ten
17 days in which to --

18 THE COURT: No. You would have the number of days
19 that I will grant you given my discretion.

20 THE DEFENDANT: Well --

21 THE COURT: Ten days to respond is no right of
22 yours. The Court in its discretion may limit the number of
23 days for response to any motion.

24 THE DEFENDANT: Well why would you not be --

25 THE COURT: Ms. Sassower?

1 THE DEFENDANT: -- gracious in giving me as much
2 time as necessary considering --

3 THE COURT: Because, Ms. Sassower --

4 THE DEFENDANT: -- I am not an attorney --

5 THE COURT: -- shortly --

6 THE DEFENDANT: -- and this is a difficult area --

7 THE COURT: -- shortly stated --

8 THE DEFENDANT: -- of law?

9 THE COURT: -- given the nature of the subpoenas as
10 I understand them and given the facts of the case as I
11 understand them, there should not be -- certainly shouldn't
12 be a continuance of this trial predicated upon the inability
13 to respond to the motions to quash.

14 THE DEFENDANT: I haven't gotten the motions.

15 THE COURT: Well --

16 THE DEFENDANT: Are they going to give it to me at
17 the eleventh hour?

18 THE COURT: Have no idea. And if they do --

19 THE DEFENDANT: Well maybe --

20 THE COURT: And if they do we will address that
21 issue then.

22 THE DEFENDANT: Prior --

23 THE COURT: But at this -- but at this point in
24 time the ruling of this Court is that upon receipt of the
25 motion to quash you may file your opposition. If --

1 THE DEFENDANT: Well I --

2 THE COURT: If -- if you receive the motions to
3 quash on the eve of trial then you can certainly file a
4 motion for emergency relief with the Court which I will
5 consider. But at this juncture having no knowledge of when
6 the motions will be filed but having an understanding that
7 they will be filed, my ruling is simply that you will be
8 permitted to respond.

9 THE DEFENDANT: Well since you've set time
10 parameters why didn't you set time parameters on the
11 Government, set a date certain, by which they have to make
12 their motion to quash?

13 THE COURT: I have no jurisdiction --

14 THE DEFENDANT: Why wouldn't that be fair?

15 THE COURT: No, no, no. I have no authority over
16 the Congress, that body and their filing of their motion to
17 quash, and I'm not here to set any parameters in that regard.

18 I have no authority to order Congress when to pass
19 a resolution that would then give their legal counsel the
20 authority to file motions to quash. That is beyond my
21 purview.

22 THE DEFENDANT: Well would you agree, Your Honor,
23 that setting a trial date --

24 THE COURT: I wouldn't -- ma'am?

25 THE DEFENDANT: -- for a date that Congress is --

1 for a week that Congress is out of session means that the
2 likelihood is that those Senators and their staff will not be
3 available, will not be in town?

4 THE COURT: I have absolutely no understanding of
5 what the Senators' availability will be or what the staff
6 members availability will be.

7 THE DEFENDANT: Well you have set --

8 THE COURT: But I will --

9 THE DEFENDANT: -- the trial date --

10 THE COURT: But I will --

11 THE DEFENDANT: -- contingent on the availability of
12 the Government witnesses, but, perhaps you should have also
13 concerned yourself with the availability of my witnesses.

14 THE COURT: Well --

15 THE DEFENDANT: And with resolution of the subpoena
16 issue. Unless you prejudged it.

17 THE COURT: Well if you, in fact, have dates
18 certain for the appearance of the witnesses that you have
19 subpoenaed then I will entertain that information right now.
20 But my -- my guess is that you don't, and, therefore, to
21 challenge this Court on its handling of your witnesses is, in
22 fact, a misstatement. These are witnesses that you are
23 choosing to call, but whether or not they will provided
24 testimony favorable to your case is something entirely
25 different.

1 THE DEFENDANT: Well have I not been deprived of my
2 rightful Discovery? As established by my October 30th
3 motion, it would be evident that their testimony could only
4 be favorable to me.

5 THE COURT: Well one thing is very clear, we will
6 not be re-treading the ground of prior Discovery. You
7 haven't been wrongfully deprived of anything. I've reviewed
8 this jacket. I've reviewed the prior orders in this case.
9 You have -- you have been provided with the Discovery that
10 prior judges who've sat this case, and with me who ruled on
11 the issue of Discovery, have found that you were entitled to.

12 The issue on additional Discovery or Discovery that
13 you thought you were entitled to is a non-issue now. There
14 is no outstanding Discovery here.

15 THE DEFENDANT: The only judge --

16 THE COURT: The only issue that we are now
17 addressing is the issue of the motion to quash subpoenas.
18 And my ruling is that, following its receipt you may file an
19 opposition or any other response that you determine
20 appropriate. If in your judgment you consider it to be --
21 the motions to quash filed on the eve of trial, and,
22 therefore, believe emergency relief to be appropriate, you
23 may file that motion with the Court and I will consider it.

24 THE DEFENDANT: Yes. I am aware of how Your Honor
25 considers motions. However, I will apprise the Court that I

1 am one person, I am not an attorney, I cannot prepare for
2 trial, prepare voir dire questions, prepare the other issues
3 that you have indicated have to be addressed, also research
4 the law for the opposition for a motion to quash and then if
5 it's untimely file an emergency relief application, I'm
6 sorry, Your Honor, I will have to apprise the Court that you
7 are placing upon me a burden that I cannot -- an attorney
8 couldn't address this. But not -- but a non-lawyer certainly
9 cannot.

10 THE COURT: It was your --

11 THE DEFENDANT: Assuredly, I would also indicate
12 that my attorney has never addressed a motion to quash as I
13 understand it, is totally unfamiliar with that area of the
14 law, so I will not even have the benefit of his guidance.

15 THE COURT: None of which, none of which is my
16 problem, Ms. Sassower. You --

17 THE DEFENDANT: It should be.

18 THE COURT: You exercised your rights under
19 28 USC Section 1654, in representing yourself. And in doing
20 so, I will hold you to the same standard as anyone else who
21 represents themselves.

22 THE DEFENDANT: The time restrictions --

23 THE COURT: You --

24 THE DEFENDANT: -- would be unfair for an attorney.

25 THE COURT: -- made -- you made the effort a minute

1 ago to tell me as a sitting judge that I should address you.
2 That Mr. Goldstone is only your attorney-advisor.

3 THE DEFENDANT: Correct.

4 THE COURT: Therefore I'm telling you that the
5 burden that you now shoulder is the same burden as any lawyer
6 who would stand in your shoes.

7 THE DEFENDANT: That would be an oppressive burden
8 on an attorney.

9 THE COURT: Well then --

10 THE DEFENDANT: Quite apart from a Pro Se.

11 THE COURT: Ms. Sassower, I --

12 THE DEFENDANT: Now --

13 THE COURT: Ms. Sassower, on the issue of the
14 motions to quash and on any response thereto, and on any
15 emergency motion that you may feel necessary to file, I've
16 ruled. That issue is no longer open for discussion.

17 THE DEFENDANT: This Court is without jurisdiction
18 to make any rulings, and that is the --

19 THE COURT: Ms. -- Ms. --

20 THE DEFENDANT: -- basis for a motion which I will
21 be --

22 THE COURT: Ms. Sassower?

23 THE DEFENDANT: -- filing today.

24 THE COURT: Ms. Sassower, the Court is not hearing
25 any motion on your lack of jurisdiction argument.

1 THE DEFENDANT: Ahh --

2 THE COURT: I believe that we have --

3 THE DEFENDANT: There's both a lack of jurisdiction
4 as to this Court and entitlement to move this case to the
5 U.S. District Court for the District of Columbia pursuant to
6 D.C. Code 10-503.18.

7 THE COURT: Very well. And I look forward -- I
8 look forward to reading your papers and to reviewing any
9 Government response to those papers. But until then not only
10 does this Court have jurisdiction, but this judge will be the
11 judge handling the trial. The trial will go forth on April
12 12th. And unless there is anything further with regard to
13 the actual trial, or the preliminary matters that we could
14 reasonably anticipate prior to trial, then I believe that
15 we're done here.

16 THE DEFENDANT: I would just point out that I am
17 expecting if this -- and I have requested here in this
18 motion, to bring over a mandamus and prohibition against --

19 THE COURT: Very well. I will --

20 THE DEFENDANT: -- against this Court.

21 THE COURT: I will -- I don't need to hear your
22 argument about that. Simply --

23 THE DEFENDANT: And I --

24 THE COURT: -- file --

25 THE DEFENDANT: -- am asking for a stay of trial --

1 THE COURT: File the document.
2 THE DEFENDANT: -- to review this Court's --
3 THE COURT: File the document.
4 THE DEFENDANT: -- demonstrated actual bias.
5 THE COURT: File the document. I have already
6 addressed the bias issue --
7 THE DEFENDANT: No you have not, Your Honor.
8 THE COURT: -- once before.
9 THE DEFENDANT: The relevant law is Superior Court
10 Civil Procedure Rule 63-I, which expressly says, "That when a
11 sufficient affidavit of bias and prejudice has been filed,
12 the judge has -- cannot proceed further." Now you were --
13 THE COURT: Ms. Sassower --
14 THE DEFENDANT: You were bound under --
15 THE COURT: Ms. Sassower --
16 THE DEFENDANT: -- that law --
17 THE COURT: This issue -- this issue will not, now
18 --
19 THE DEFENDANT: -- to take no further action --
20 THE COURT: This issue -- this issue will not, now,
21 be heard. This case --
22 THE DEFENDANT: Okay.
23 THE COURT: -- unless there is a preliminary trial
24 matter we're done with this hearing.
25 Is there anything further from the Government?

1 MS. LIU: Your Honor, just one thing. With respect
2 to the list of preliminary matters, we will exchange those
3 with the -- with each other, as well as serving them on the
4 Court; right?

5 THE COURT: Correct. That's right.

6 MS. LIU: Thank you.

7 THE COURT: Very well. I believe --

8 THE DEFENDANT: I will --

9 THE COURT: -- that we are done here. Thank you
10 very much. The Court will be in recess for about ten minutes
11 at which point and time we will proceed with our afternoon
12 trial.

13 THE DEFENDANT: Did you want me to file this and
14 have them send it up to you, Your Honor?

15 THE COURT: You should understand the Court
16 proceedings. You can take care of that in the way that you
17 see fit.

18 THE DEPUTY CLERK: Ms. Sassower, your case is
19 continued for trial on April the 12th. If you fail to appear
20 on April the 12th a warrant will issue for your arrest. If
21 you're convicted of failing to appear, you face 180 days in
22 jail, a thousand dollar fine or both, and that's for your
23 failing to appear. Ms. Sassower, do you understand the
24 warning that you've been given for failing to appear?

25 THE DEFENDANT: I do, indeed. It could have been

1 given on by phone (phonetic).

2 THE DEPUTY CLERK: Excuse me. Ms. Sassower, you
3 need to step over and sign your notice to return.

4 THE DEFENDANT: As all these proceedings.

5 (Thereupon, the proceedings were concluded.)
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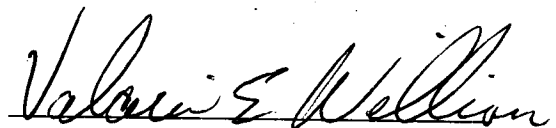
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I, VALARIE E. WILLIAMS, an Official Court
Transcriber for the Superior Court of the District of
Columbia, do hereby certify that in my official capacity I
prepared from electronic recordings the proceedings had and
testimony adduced in the matter of; US v. ELENA RUTH
SASSOWER, Docket Number: M-04113-03, in said Court, on the
22ND day of MARCH, 2004.

I further certify that the foregoing 24 pages were
transcribed to the best of my ability from said recordings.

In witness whereof, I have subscribed my name this
the 26TH day of March, 2004.



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