

REDMOND, BURGIN & GUTIERREZ, P.A.

ATTORNEYS AT LAW
THE FIDELITY BUILDING, SUITE 1301
210 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21201-4105
(410) 752-1555
Facsimile: (410) 752-1064

LEONARD C. REDMOND, III
HAROLD L. BURGIN*
JOSEPH I. TRIVIS, JR.
BAMBI GLENN
RITA PAZNIOKAS

PRINCE GEORGE'S COUNTY OFFICE
14746 MAIN STREET
UPPER MARLBORO, MARYLAND 20772
(301) 952-1555

* Also admitted in the District of Columbia

October 20, 1999

**VIA FACSIMILE, 410.727.5437
and FIRST CLASS MAIL**

Kevin Urick, Esq.
Office of the State's Attorney
for Baltimore City
Mitchell Courthouse
100 N. Calvert Street, Room 303
Baltimore, MD 21202

**RE: *State of Maryland v. Adnan Syed*
Case no. 199103042-46**

Dear Mr. Urick:

On October 8, 1999, we received your two separate disclosures regarding cellular communications and your intention to introduce evidence of the same at trial.

1. You identified Abe Waranowitz of AT&T Wireless, Washington DC, as an expert witness, but failed to provide Mr. Waranowitz's area of expertise, curriculum vitae, resume, educational background, and/or relevant experience in any form. Also your disclosure did not identify any opinion, conclusion, analysis or analyses of Mr. Waranowitz relative to this case. You also did not provide an address, phone number or a means by which he may be contacted.

2. Neither the disclosures of October 8th (nor any previous disclosures), indicate what cellular phone, if any, what phone calls, if any, or what times, of any phone calls, about which Mr. Waranowitz will be offering testimony.

3. The disclosure of October 8, 1999 states that Mr. Waranowitz offered an oral report, but does not specify to whom the statement was made and under what circumstances. I request that you identify to whom the report/statement was made and under what circumstances. Further, I request that you indicate whether Mr. Waranowitz has provided any written report, document, notes, etc. relative to any opinion, conclusion, analysis or analyses relative to this case.

M. CRISTINA GUTIERREZ
99-OCT-21 PM 3:11
RECEIVED
DIRECTOR COURT
BALTIMORE, MARYLAND
SANDRA E. BANKS
CLERK

Kevin Urick, Esq.
Office of the State's Attorney
October 21, 1999
Page 2

4. The oral statement identifies as many as (17) cellular sites, but does not interrelate any phone call to these sites. The oral statement also does not state any opinion, analysis or conclusion of any kind related to any specific call or to any specific cellular site.

5. After expending much time and energy, the defense was able to contact an individual at AT&T Wireless, in Washington, D.C. who identified himself as Mr. Waranowitz's supervisor. This individual, when asked, would not provide the defense with a valid subpoena address but merely advised that Mr. Waranowitz was not available. However, this individual did indicate that maps, reports, and an outline of Mr. Waranowitz's testimony were forwarded to your office. Not surprisingly, we have not received them.

In light of this conversation, in light of the lack of full disclosure, and pursuant to Maryland Rule 4-263, *United States v. Brady*, and Due Process of law, I request the following information be provided at the earliest opportunity:

1. The complete address and phone number of Mr. Abe Waranowitz.
2. The identification of Mr. Waranowitz's area of expertise, his curriculum vitae or resume, his educational and experience background, a listing of any and all court cases in which he has ever testified or been identified or qualified as an expert and the area(s) of expertise in which he was so qualified, any transcripts of his *voir dire* and/or testimony in any and all such cases.
3. Any information concerning any attack or challenge to Mr. Waranowitz' expertise and identification of any occasion where he has ever been excluded as an expert.
4. Complete information regarding all phone calls or phones to which Mr. Waranowitz will testify, including but not limited to:
 - a. the phone numbers called
 - b. identification of all cell phones involved in either outgoing or incoming calls
 - c. owner(s) of the phone numbers called
 - d. the names of individuals believed to have answered or made calls if different from the registered owner of the number
 - e. the numbers and names of individuals believed to have made incoming calls
 - f. the exact locations which were "triggered" by relevant cell phone calls, the specific cell phone numbers "triggering" these locations, the times of these calls.
 - g. the location of the relevant cell phones at issue, including the location of where phone calls were made or received.

Kevin Urick, Esq.
Office of the State's Attorney
October 21, 1999
Page 3

- h. the details of Mr. Waranowitz's oral statement, including to whom it was made and under what circumstances
- i. complete definitions of terms in Mr. Waranowitz's statement as reported in your disclosure, including the terms "triggers", "edges", "cell sites", "signal strengths", "fluctuations" and "mound".
- j. Any and all information which your office or any other law enforcement agency transmitted, directed, suggested or imparted by any means to Mr. Waranowitz in order to obtain his "expert" opinion, or which he reviewed or was made aware of in the course of arriving at his "expert" opinion..

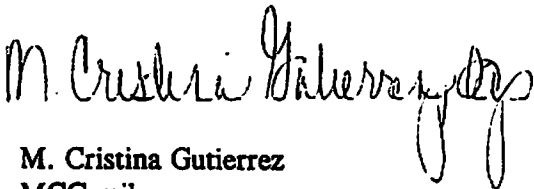
5. Complete set of maps, including but not limited to coverage maps, charts, or any other documents indicating cellular coverage of the "towers (if that is what they are) referenced in Mr. Waranowitz's statement.

6. Any and all other information including all documents, maps, charts, notes used by you or any member of your office or any law enforcement personnel or anyone under your direction in any way to consult with, to prepare and to question Mr. Waranowitz in regard to this case or to his expertise.

Please consider this request for any and all information, reports, opinions and conclusions concerning Mr. Waranowitz's prospective testimony or any prospective state's evidence concerning information, reports, opinions, and conclusions involving telecommunications, cell phones, locations of relevant phone calls, etc. This request should not be limited by the defense's lack of information about, and/or present lack of understanding of, correct terminology or technology in this field.

Someone from this office will be available to pick up these materials upon your notification. Thank you for your prompt attention to this matter.

Sincerely,



M. Cristina Gutierrez

MCG:mjl

cc: Court File

Syed.1740t.waranowitz.cell.records.request.ltr2urick.5540.1402