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February 6, 1992

DELIVERED BY FACSIMILE
AND BY FIRST CLASS MAIL

Paul V. Kelly, Esq.
Assistant United States Attorney
1107 John W. McCormack Building
Post Office & Courthouse
Boston, MA 02109

Re: Alfred W. Trenkler
Search Warrants Nos.: M.J.-92-1252-B
M.J.-92-1253-B
M.J.-92-1254-B

Dear Paul:

As you know from our conversation today, I have been retained by Mr. Trenkler to represent his interests in the above-referenced matter.

It is my understanding that Mr. Trenkler has, prior to my involvement, requested Agent Leahy to return some paperwork seized from his briefcase during the search of John Cates's apartment. Specifically, the paperwork that Mr. Trenkler needs is listed in the return to Warrant No.: 92-1253-B as item No. 9. To date, Agent Leahy has refused and neglected to return this paperwork.

This paperwork has absolutely no relevance to the investigation you are conducting and your agents have had more than sufficient time to inspect, copy or test it. This paperwork consists of business documents essential to Mr. Trenkler's business.

As more particularly described in Mr. Trenkler's affidavit attached hereto, without these documents, Mr. Trenkler's livelihood is at a standstill. Each day that he is deprived of this paperwork he is unable to work. The result is that he is being damaged in the approximate amount of \$1200.00 per day.

Letter to Paul V. Kelly
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I therefore demand that the originals of this paperwork be returned to me immediately and no later than 2 o'clock tomorrow afternoon. Otherwise, I will be forced to file a Rule 41(e) motion simultaneously with a lawsuit naming the Agents involved as Defendants to compensate Mr. Trenkler for his losses. However, if I receive copies of these documents by 2 o'clock tomorrow, I will forego the civil suit and simply file a motion for return of the originals.

I do hope that this matter can be resolved short of these measures. However, my client has instructed me to take whatever steps are necessary to stop this damage to his business and livelihood and I intend to do so.

Sincerely yours,



Scott P. Lopez

SPL:spl

Enclosure

cc: Terry Philip Segal, Esq.
Thomas E. D'Ambrosio
Dennis Leahy
William Murphy
Allan Offringa