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VIA ECF

Honorable Richard M. Berman
United States District Judge
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Room 12D
New York, NY 10007

Re: United States v. Reza Zarrab, et al., S3 15 Cr. 867 (RMB)

Dear Judge Berman:

As directed by the Court on April 24, 2017, we respectfully submit this letter in connection with the *Curcio* hearing regarding Herrick, Feinstein LLP's ("Herrick") representation of Mehmet Hakan Atilla, which is scheduled for May 18, 2017.

Herrick's Representation of Some of the So-Called "Victim Banks"

Herrick currently represents and has represented from time to time the following seven banks, which the Government alleges are victims in this case: Bank of America, N.A.; Bank of New York Mellon; Citibank, N.A.; Deutsche Bank; HSBC; JPMorgan Chase Bank, N.A.; and Wells Fargo Bank, N.A. Herrick is providing legal services to one or more of the seven banks primarily in the form of discrete asset-based financing transactions, discrete real estate matters and occasional minor litigation. Herrick does not represent any of the named banks with respect to the type of transactions described in the indictment naming Mr. Atilla.

As directed by the Court, Herrick has contacted each of the seven banks to seek a conflict waiver. We are in the early process of seeking to obtain the waivers from each of those banks, and have not yet received any signed waivers; nor have we been advised that a waiver will not be provided by any bank, with the exception of Citibank. Citibank has advised us that it will not agree to a conflict waiver.

Herrick's Representation of the Republic of Turkey

The Republic of Turkey has not been identified as a victim in this case, and accordingly, Herrick is not seeking a conflict waiver from Turkey. Herrick has represented the Republic of Turkey from time to time in limited New York-based business transactions, in a number of real estate-related matters, and in certain litigations in connection with the recovery of stolen cultural property as well as a construction dispute. Herrick has never served as a Registered Foreign Agent for the Republic of Turkey. Herrick does not represent the Republic of Turkey in any transactions similar to those described in the indictment naming Mr. Atilla.



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Herrick's "Ethical Wall"

Herrick's administration has instituted an "ethical wall" that separates the professionals on the defense team for Mr. Atilla from those who are performing work for any of the seven banks. No one at Herrick, other than the members of the Atilla defense team, is permitted access to the Atilla defense team's materials without the express approval of Herrick's General Counsel, Jennifer Smith Finnegan. All professionals on either side of the wall have been advised that they may not access materials on the other side of the wall or discuss with each other any facts or legal issues on which they are working. None of the professionals on the Atilla defense team is engaged in any matter involving any of the seven banks which Herrick represents.

Messrs. Giuliani and Mukasey

Finally, Mr. Atilla has not retained either Mr. Giuliani or Mr. Mukasey, or their respective law firms, to represent him in any matter; nor has he authorized them, or their respective firms, to act on his behalf in connection with any matter, including the charges brought against him by the United States. Neither Mr. Atilla, nor any one at Herrick, has communicated with Mr. Giuliani or Mr. Mukasey regarding this matter, or is privy to the work that either of them has done on behalf of Mr. Zarrab. Consequently, neither we, nor Mr. Atilla, have any idea whether the activities of Mr. Giuliani and/or Mr. Mukasey on behalf of Mr. Zarrab might affect Mr. Atilla, or in what way they may do so. In the first instance, the answer to the question of how Mr. Giuliani's or Mr. Mukasey's efforts might impact on the prosecution of Mr. Atilla appears to be better answered by the United States Attorney's Office or other representatives of the Department of Justice.

Respectfully submitted,

Herrick, Feinstein LLP

/s/ Victor J. Rocco

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cc: All Counsel of Record (by ECF)