

## **EXHIBIT B**



**U.S. Department of Justice**

*United States Attorney  
District of New Jersey*

*Mark J. McCarren  
Assistant United States Attorney*

*970 Broad Street, Suite 700  
Newark, New Jersey 07102*

*973-645-2700  
mark.mccarren@usdoj.gov*

September 9, 2025

**BY EMAIL**

Paul J. Fishman, Esq.  
Lee M. Cortes, Jr., Esq.  
Arnold & Porter  
One Gateway Center  
Suite 1025  
Newark, New Jersey 07102-5322

Re: *United States v. LaMonica McIver*, Crim. No. 25-00388

Dear Mr. Fishman & Mr. Cortes:

The Government has reviewed your letter of September 3, 2025 detailing the specific discovery requests sought in conjunction with your client's motion to dismiss based on selective prosecution and enforcement, and vindictive prosecution. As we discussed during our Zoom call yesterday, we believe that the discovery sought in your September 3<sup>rd</sup> letter is not covered by Rule 16. Discovery in support of selective prosecution and selective enforcement claims is not provided as a matter of right, and we do not believe your client has satisfied the applicable threshold evidentiary showings required by *Amstrong/Bass* and *Washington* to compel discovery. We therefore believe that Judge Semper should first rule on your client's motion for discovery, which we will oppose, and we will revisit the discovery demands outlined in your letter should the Court grant her request.

Sincerely,

TODD BLANCHE  
U.S. Deputy Attorney General

ALINA HABBA  
Acting United States Attorney  
Special Attorney

By: s/Mark J. McCarren  
Mark J. McCarren  
Benjamin D. Bleiberg  
Assistant United States Attorneys