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1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 UNITED STATES OF AMERICA,

4 v.

21 CR 746 (MKV)

5 CHRIS RECAMIER,

6 Defendant.

7 -----x  
8 New York, N.Y.  
9 June 1, 2022  
11:30 a.m.

Before:

10 HON. MARY KAY VYSKOCIL,

11 District Judge

12 APPEARANCES

13  
14 DAMIAN WILLIAMS,  
15 United States Attorney for the  
16 Southern District of New York  
BY: JULIE MURRAY  
Assistant United States Attorney

17 LORRAINE GAULI-RUFO  
18 Attorney for Defendant  
(Outgoing counsel)

19 QUINN EMANUEL URQUHART & SULLIVAN LLP  
20 Attorney for Defendant  
BY: MARC GREENWALD  
21 (Incoming counsel)

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(Case called)

MS. MURRAY: Good morning, your Honor.

Julianna Murray on behalf of the United States.

THE COURT: Good morning.

MR. GREENWALD: Good morning, your Honor.

MS. GAULI-RUFO: Good morning, your Honor.

Lorraine Gauli-Rufo on behalf of Mr. Recamier.

THE COURT: Good morning. And you are Mr. Greenwald?

MR. GREENWALD: Yes.

THE COURT: You are CJA counsel?

MR. GREENWALD: Yes. On duty today.

THE COURT: And you are Mr. Recamier?

THE DEFENDANT: Yes, ma'am.

THE COURT: Good morning to our court reporter. Thank you for being here.

I have received first a letter, well an affidavit, actually, from Mr. Recamier, a motion to remove counsel and to appoint new CJA counsel that was promptly followed by a letter from Ms. Gauli-Rufo to the Court saying in light of the fact we have an imminent trial date, July 13 in this case, requested that I please schedule this for a hearing. And we are here today for purposes of that hearing. So, Ms. Gauli-Rufo, I'll hear from you first.

MS. GAULI-RUFO: Thank you, your Honor.

Your Honor, I received the affidavit that the Court

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1 also received that was written by Mr. Recamier. Mr. Recamier  
2 seems to be unhappy with my representation. He has voiced that  
3 in his affidavit. He's requesting new counsel at this point.  
4 Your Honor, I defer to the Court in its decision whether to  
5 replace me or not.

6 As I said, he seems to have serious issues, enough to  
7 raise it with the Court. And as far as I can tell you, your  
8 Honor, I did not have issues with representing Mr. Recamier,  
9 but I do understand how he feels, so I would ask the Court to  
10 address his issues.

11 THE COURT: All right. Mr. Greenwald, have you had an  
12 opportunity to speak with Mr. Recamier?

13 MR. GREENWALD: Yes, your Honor, briefly. I spoke to  
14 him just briefly in the courtroom lockup right before this  
15 appearance but not at length.

16 THE COURT: Do you wish to be heard on his behalf, or  
17 would you like him to address the Court directly?

18 MR. GREENWALD: Your Honor, I have not read the  
19 affidavit, so I'm not in a position to speak on his behalf.

20 THE COURT: All right. Sir, I, as you know, have set  
21 this case down for trial on July 18. I tell parties at the  
22 time that they're arraigned, if you have appointed counsel, if  
23 you have an issue with your counsel, you need to let the Court  
24 know that as soon as possible because I will not delay a trial  
25 because of a late request for appointment of new counsel.

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1 Having said that, obviously, you need to be able to work with  
2 your counsel, and if you feel that your counsel is not able to  
3 adequately represent you, I will appoint new counsel, if  
4 Mr. Greenwald is available to take on the representation. But  
5 we have a trial date of July 13. So is there anything you want  
6 to tell the Court?

7 THE DEFENDANT: Well, exactly like I said in the  
8 affidavit, I don't feel like I have the right representation at  
9 this time.

10 THE COURT: Mr. Greenwald, are you available to take  
11 on representation?

12 MR. GREENWALD: I have do some depositions scheduled  
13 at that time, but I can -- a trial in federal court, I will do  
14 my best to move those depositions. I have partners who can  
15 appear on my behalf. So we can accept the assignment. And I  
16 can't make a representation having not seen --

17 THE COURT: No. So let me tell you the schedule in  
18 the case. I'm really asking you from a conflicts point of view  
19 and otherwise. Are you prepared to take on the representation?

20 MR. GREENWALD: Yes, your Honor.

21 THE COURT: All right. So I will grant the motion,  
22 Ms. Gauli-Rufo. Mr. Recamier made the motion himself, you then  
23 filed the letter basically joining in that motion. I will  
24 grant the motion and relieve Ms. Gauli-Rufo of her  
25 representation of you, sir. I will appoint Mr. Greenwald, who

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1 has represented that he is available and prepared to take on  
2 that representation.

3 We have a conference scheduled for next week in this  
4 case, June 7, at 11:00 a.m. Mr. Greenwald, between now and  
5 then, you should try to get up to speed on the case.

6 Ms. Gauli-Rufo, I assume you'll remain available to  
7 talk to Mr. Greenwald and educate him about the case, and  
8 Mr. Greenwald, you'll reach out both to Ms. Gauli-Rufo and to  
9 Mr. Recamier and get up to speed. And I will see everyone next  
10 week, then, on June 7 at 11:00 o'clock to talk about the case.

11 There is an outstanding motion to suppress, which was  
12 made by Mr. Recamier's codefendant. It's my understanding he's  
13 filed a letter joining in that motion. So we will have a  
14 ruling in advance of the hearing next week in connection with  
15 that motion.

16 And as I said, the case is set for trial on July 13  
17 with a final pretrial conference on July 6 at 11:00 a.m. So I  
18 will talk to you next week about where things stand and whether  
19 you've been able to get up to speed.

20 MR. GREENWALD: Yes, your Honor.

21 THE COURT: Mr. Recamier, I'm warning you now, the  
22 Court is not going to grant seriatim motions for new counsel.  
23 You have the right to be represented, and counsel has been  
24 appointed for you now twice, but you do not get to just keep  
25 saying I don't agree and I don't like the advice they're giving

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1 me and so I want a new lawyer. They are trained professionals  
2 who, with all due respect to you, may know best what the law  
3 is. Obviously, you're the client, and at the end of the day,  
4 it's your decision, nobody else's, whether to go to trial or  
5 whether to enter a plea in the case or how to handle your  
6 defense. But I would suggest to you that you give some  
7 deference to the training and professionalism of the people who  
8 have volunteered to represent you. Understood, sir?

9 THE DEFENDANT: Yes, ma'am.

10 THE COURT: All right. Anything else that we should  
11 talk about?

12 MS. MURRAY: No, your Honor. Thank you.

13 THE COURT: Mr. Greenwald?

14 MR. GREENWALD: No, your Honor.

15 THE COURT: All right. Ms. Gauli-Rufo, I thank you  
16 for your service in representing Mr. Recamier and your  
17 willingness talk with Mr. Greenwald.

18 We are adjourned. Thank you. I'll see you next week.

19 (Adjourned)  
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