

EXHIBIT 1

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Lee H. Vilker
Criminal Chief
United States Attorney's Office
District of Rhode Island

Via email to Lee.Vilker@usdoj.gov

Subj: Jason Knight Statement re: U.S. v. Staveley 20-cr-00074-MSM

Lee,

I hope this letter finds you well. I am in possession of the court order and the above captioned case negating the attorney client privilege and directing me to respond to your inquiries regarding my representation of David Staveley.

Accordingly, I am responding to your specific request to provide a narrative and associated documents concerning my advice to Mr. Staveley regarding his decision to enter a guilty plea.

I represented Mr. Staveley in Rhode Island U.S. District Court case 20-CR-74 MSM in which he was charged with conspiracy, several counts of bank fraud, false statements to the Small Business Administration, aggravated identity theft, and failure to appear in court (escape).

Mr. Staveley was first arrested on or about May 5, 2020. He was represented by another attorney from May of 2020 until I entered my appearance on or about March 1, 2021.

In this matter I took contemporaneous "running notes" of events in the case and have relied on those notes and my memory to fashion my response to the complaint.

After I entered my appearance, I took steps to familiarize myself with the case and the evidence. During the entirety of my representation of Mr. Staveley, he was detained at the Wyatt Detention Facility in Central Falls, RI.

During the months of March and April 2021, I received an enormous amount of discovery and I spent many hours culling through the material. When I visited the client during this period, each visit was lengthy and we discussed a variety of issues including the strength of the evidence.

During each of these visits, the client wished to discuss at length certain mitigating factors in his case and why the evidence did not present a complete picture of the case. The client was also obsessed with the role of an attorney who had been deeply involved with several transactions relevant to the fraud counts.

At some point, the prosecutor, put forward a plea offer with a time limit. My understanding was that the prosecutor was frustrated that he was about a year into the case and it was still pending. I indicated to the prosecutor that I could not comply with his deadline because of my recent entry into the case and that there were at least some counts of the indictment that were not entirely supported by the evidence. Based on these discussions, the prosecutor put forward a new offer, dismissing some counts, and a new deadline.

With this offer in hand, I visited the client on two separate occasions to discuss the offer in light of the relevant evidence. Specifically, I brought the new plea offer for his consideration on May 4, 2021.

During the May 4, 2021 meeting. I reviewed the plea agreement and several pieces of evidence with the client including:

1. A video recording the co-defendant's statement to the police along with the government's proffer report. I made it clear to Mr. Staveley that his co-defendant was cooperating with the government and would testify against him at trial.
2. A collection of police reports showing Steven Scott's role in the matter.
3. A collection of emails, purportedly written by Staveley, obtained by Steven Scott and delivered to law enforcement discussing fraudulent activity.
4. A variety of falsified payroll forms that were part of the "PPP" loan application.

I informed the client that it was my belief that the government could prevail on the fraud and conspiracy charges if it was able competently present this evidence and other items to the jury. Additionally, I informed the client that the plea agreement involved a dismissal of a charge that carried a two year mandatory consecutive sentence. Finally I also informed Mr. Staveley that, despite whatever happened with the fraud charges, he was still facing a mandatory consecutive sentence on the escape charge and I was confident he would be convicted of that charge.

We also discussed the guidelines, the sentencing judge, and my expectations about how she would react to the case. I informed Mr. Staveley that the guidelines were advisory. I also informed Mr. Staveley that the judge was relatively new to the bench and had been public defender. I advised him that the judge was not "soft" but might be receptive to his trauma history and how that experience had affected him during his current incarceration. Importantly, I made no promises as to what the judge would do and made it clear that the judge could sentence him harshly if she chose to.

I left a copy of the plea agreement for Mr. Staveley and told him I would return in a day or two to give him time to consider the offer and the evidence. I visited him again on May 6, 2021. On that date the client signed the plea agreement. It was made clear to him that he could back out and opt for a trial anytime prior to the actual change of plea hearing.

Regarding Mr. Staveley's complaint that he did not have access to the government's discovery production, on April 20, 2021 I forwarded a hard drive containing the entire discovery production to Mr. Staveley pursuant to Wyatt's evidence procedures. I understand that Mr. Staveley had difficulty communicating with Wyatt staff to set up a viewing time. I was not privy to those conversations and I do not know what Mr. Staveley did to effectuate a viewing session. At some point after his change of plea hearing, he indicated he had not been able to view the evidence collection and I directed him to a particular staff member to facilitate a viewing.

Respectfully,

A handwritten signature in blue ink, appearing to read 'J. Knight', with a stylized flourish at the end.

Jason Knight