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JAN 30 2014

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Clerk, U.S. District & Bankruptcy Courts for the District of Columbia

[REDACTED]

Filed with Classified Information Security Officer

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Date 11/27/13

UNITED STATES OF AMERICA)
)
 v.)
)
 STEPHEN JIN-WOO KIM,)
 also known as Stephen Jin Kim,)
 also known as Stephen Kim,)
 also known as Leo Grace,)
)
 Defendant.)

Criminal No.: 10-225 (CKK)
 Filed In Camera and
 Under Seal with the Classified
 Information Security Officer

*Lowet File
 dated
 Judge C/Kollar-Votak
 1/30/14*

**ADDENDUM TO THE GOVERNMENT'S IN CAMERA, UNDER SEAL
 OPPOSITION TO THE DEFENDANT'S SIXTH MOTION TO COMPEL
 DISCOVERY**

[REDACTED] On November 5, 2013, the United States filed its In Camera, Under Seal Opposition to defendant's Sixth Motion to Compel Discovery ("Government's Opposition"). In this Opposition, the United States represented that it had searched for the [REDACTED] [REDACTED] for the [REDACTED] related to the [REDACTED] Report at issue in this case and had located no such document that pre-dates the 3:16 p.m. "cut-off time" on June 11, 2009, and that even if such a document existed, it would not be discoverable. On November 26, 2013, the United States learned [REDACTED] that an [REDACTED] document, identified in the last week, bears the electronic file name, [REDACTED] [REDACTED] This electronic file name does not appear on the document itself. Instead, the title that appears in the document is [REDACTED] [REDACTED] to accompany the [REDACTED] Report. Given the discrepancy in these titles as well as the actual content of the [REDACTED] (U) The "date modified" information for the document is 9:34 a.m. on June 11, 2009.

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[REDACTED]

[REDACTED] it is unclear whether the document is in fact the [REDACTED] [REDACTED] for the [REDACTED] related to the [REDACTED] report requested by the defendant in a discovery request. The United States nonetheless files this addendum to inform the Court of the existence of this document and to reaffirm why it is not discoverable.

[REDACTED] The [REDACTED] is marked [REDACTED] [REDACTED]

[REDACTED] It was located only in [REDACTED] files, and there is no evidence that it was ever disseminated. Of course, the defendant never had access to any document contained only in [REDACTED] files, including the [REDACTED]. The [REDACTED] is not a potential source document for the charged unauthorized disclosure as it does not contain any of the intelligence information in the [REDACTED] Report. Moreover, there is no otherwise discoverable information in the [REDACTED] for the reasons stated in the Government's Opposition.²

See Government's Opposition at 4-9.

[REDACTED] Upon request, the United States will make the [REDACTED] [REDACTED] available for the Court's ex parte, in camera review on a read and return basis.

² [REDACTED] Although the United States set forth these reasons to counter the defense's argument that [REDACTED] would be relevant and helpful to the defense even if created after the cut-off time, these reasons apply equally to the pre-cut-off [REDACTED]

[REDACTED]

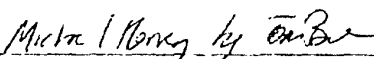
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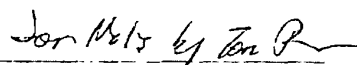
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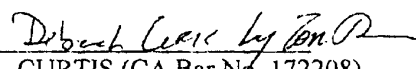
Respectfully submitted,

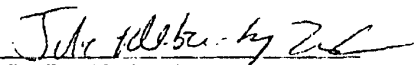
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Date: November 27, 2013

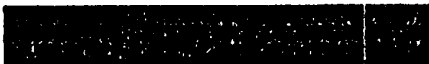
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 27th day of November, 2013, I caused a true and correct copy of the foregoing filing to be served on counsel of record through the Classified Information Security Officer.

A handwritten signature in black ink, appearing to read 'T.A. Bednar', written over a horizontal line.

Thomas A. Bednar
Assistant United States Attorney

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