

**IN A GENERAL COURT-MARTIAL
IN THE SECOND JUDICIAL CIRCUIT, U.S. ARMY TRIAL JUDICIARY
FORT BRAGG, NORTH CAROLINA**

UNITED STATES)	
)	
v.)	GOVERNMENT CORRECTION TO
)	RESPONSE TO FIRST DEFENSE
BERGDAHL, ROBERT BOWDRIE)	MOTION TO COMPEL
(BOWE))	
SGT, U.S. Army)	
HHC, Special Troops Battalion)	6 JULY 2016
U.S. Army Forces Command)	
Fort Bragg, North Carolina 28310)	

The Government has become aware of a factual error in G APP #22, the Response to the First Defense Motion to Compel. On page 2 the Government wrote "[h]owever, when the Government provides discovery, all disclosures are electronic, searchable, and in PDF form. Each PDF file is one homogenous document; for instance, a 30 page report is one PDF file with 30 pages." G APP #22 at 2.

The Government's initial disclosures were not in PDF form. In response to the Defense's First Discovery Request, the Government did agree to convey all future discovery in PDF form, and to also re-convey previously disclosed documents in PDF form. We have worked with Defense counsel to attempt to complete those transfers, but on two occasions have experienced computer failures which prevented the transfer from the physical hard drive to the Defense computer. We continue to work with both Defense counsel and the G6 to resolve this issue as quickly as possible.

Additionally, although we believed that the documents had been produced as described in the Response, the majority of documents were actually produced as single files containing multiple documents. As a result, the Government will provide an index of the file names as they were turned over to the Government by the originating agency, along with corresponding Bates numbers.



JUSTIN C. OSHANA
MAJ, JA
Trial Counsel

I certify that I have served or caused to be served a true copy of the above on the Defense Counsel on 1 July 2016.

A handwritten signature in black ink, appearing to read 'J. Oshana', written in a cursive style.

JUSTIN C. OSHANA
MAJ, JA
Trial Counsel