

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
Case No. 07-80138-CR-MARRA/VITUNAC(S)

UNITED STATES OF AMERICA,

Plaintiff,

-versus -

FRANK SARCONA

aka Frank Sarcone,  
aka Dave Johnson,

Defendant.

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GOVERNMENT'S FIRST SUPPLEMENTAL RESPONSE TO  
THE STANDING DISCOVERY ORDER

The United States hereby files this response to the Standing Discovery Order. This response also complies with Local Rule 88.10 and Federal Rule of Criminal Procedure 16, and is numbered to correspond with Local Rule 88.10.

Pursuant to our discovery obligation, the United States has made its files available to the defense. We have served, inter alia, the following as some of the documents which the United States may use at trial or pursuant to our Brady/Giglio obligation:

Various documents affiliated with each count and paragraph of the superseding indictment.  
Search warrant affidavit  
Search warrant photograph of both locations searched (2 CDs and 2 video tapes)  
Search warrant returns  
LipoBan Clinic US income tax returns for years 2000, 2001, 2002, and 2003  
CD containing MSN Hotmail data; photocopies of some of the files from the disk  
Transcript of Sarcona's court appearance dated 9/6/07  
U.S. Postal Service and state actions against Frank Sarcona (404B evidence)  
D. S.'s grand jury testimony dated 4/27/06 and 5/4/06.

George Forgione's grand jury testimony (Volume I and II redacted as to medical information) dated 7/27/06.

George Forgione's grand jury testimony dated 7/10/07.

Lipoban Clinic bill payment stubs and National Marketing Data invoices dated 2000, 2001, 2002 and 2003.

Victim/participant papers.

Respectfully submitted,

R. ALEXANDER ACOSTA  
UNITED STATES ATTORNEY

By: s/Kerry S. Baron  
KERRY S. BARON  
Assistant United States Attorney  
ADMIN. No. A5500073  
500 Australian Avenue, Ste. 400  
West Palm Beach, FL 33401  
(561) 659-4772  
(561) 659-4526 fax

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 20, 2007, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and had delivered the above attachments today and on previous dates to:

SAMUEL J. SMARGON, Esq., Assistant Federal Public Defender,

s/KERRY S. BARON  
KERRY S. BARON  
ASSISTANT UNITED STATES ATTORNEY