

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE



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October 22, 2019

The Honorable Tani Gorre Cantil-Sakauye, Chief Justice
and to the Associate Justices
California Supreme Court
350 McAllister Street, Room 1295
San Francisco, CA 94102

RE: Attorney General's Reply Brief
People v. James Michael Fayed (Capital Case)
California Supreme Court Case No. S198132

To the Honorable Tani Gorre Cantil-Sakauye, Chief Justice, and Associate Justices:

On September 25, 2019, this Court ordered counsel for appellant James Michael Fayed to file a letter brief "addressing counsel's compliance with any and all Rules of Professional Conduct and related provisions, as implicated by former prosecutor Alan Jackson's affiliation with counsel's law firm." The Court further stated that "[a]ny reply by the Attorney General or the District Attorney of Los Angeles County should be served and filed on or before 15 days after the filing of appellant's counsel's letter brief." On October 9, 2019, appellant's counsel filed its letter brief. The Attorney General's Office hereby files this reply.

The Attorney General's Office has reviewed appellant's counsel's brief. We have no information that sheds light on counsel's recitation of facts regarding the firm's employment of Alan Jackson or the firm's compliance with the Rules of Professional Conduct. Therefore, we leave the matter of how to apply the Rules of Professional Conduct and related provisions in this case to the Court's discretion.

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and to the Associate Justices
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The Attorney General's Office has conferred with the Los Angeles County District Attorney's Office on this issue, and that office takes the same position.

Sincerely,

XAVIER BECERRA
Attorney General
LANCE E. WINTERS
Chief Assistant Attorney General
JAMES W. BILDERBACK II
Acting Senior Assistant Attorney General
JOSEPH P. LEE
Deputy Attorney General

/s/ Idan Ivri

IDAN IVRI
Deputy Attorney General

DECLARATION OF ELECTRONIC SERVICE AND SERVICE BY E-MAIL

Case Name: **People v. James Michael Fayed**
Case No.: **S198132**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collecting and processing electronic and physical correspondence. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business. Correspondence that is submitted electronically is transmitted using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically. Participants in this case who are not registered with TrueFiling will receive hard copies of said correspondence through the mail via the United States Postal Service or a commercial carrier.

On October 22, 2019, I electronically served the attached **LETTER BRIEF** by transmitting a true copy via this Court's TrueFiling system.

On October 22, 2019, I served the attached **LETTER BRIEF** by transmitting a true copy via electronic mail to:

Brian Kelberg
Deputy District Attorney
Courtesy Copy by E-mail

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on October 22, 2019, at Los Angeles, California.

A. D. Kartikarini

Declarant

/s/ A. D. Kartikarini

Signature

STATE OF CALIFORNIA

PROOF OF SERVICE

STATE OF CALIFORNIA

Case Name: **PEOPLE v. FAYED (JAMES
MICHAEL)**

Case Number: **S198132**

Lower Court Case Number:

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Date

/s/Anastasia Kartikarini

Signature

Ivri, Idan (260354)

Last Name, First Name (PNum)

CA Attorney General's Office - Los Angeles

Law Firm