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From: [REDACTED]
Sent: Monday, August 3, 2020 2:43:28 PM
To: [REDACTED]
Cc: [REDACTED]
Bcc:
Subject: RE: Westbrooks applicability-

I agree with the conclusion that the smaller amount, which is attributed to the 7206(1) counts, is subject to *Westbrooks*, and the larger amount, which is attributed to the 18 USC 287 counts, is not. The conduct alleged and proven to support each of those amounts does not overlap, so the one does not include the other. The court treated them separately in the judgment, covering the Title 26 counts as a condition of supervised release and the Title 18 counts as ordered separately, and so too should we.

Please call if you have any further questions about this matter.