

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

State of Minnesota,

Case Type: Criminal  
Court File No. 27-CR-20-12646

Plaintiff,

vs.

Derek Michael Chauvin,

Defendant.

**SUPPLEMENTAL PROSECUTION  
DISCLOSURE PURSUANT TO  
RULE 9.01, SUBD. 1**

TO: The above-named defendant and defendant's counsel, Eric J. Nelson, Halberg Criminal Defense, 7900 Xerxes Avenue South, Ste. 1700, Bloomington, MN 55431.

Pursuant to Rule 9.01, subd. 1, Minn. R. Crim. P., attached please find the following supplemental disclosure consisting of pages 38846-39912, incorporating by reference all previous disclosures:

- \_\_\_\_\_ Police/investigative report(s)
- \_\_\_\_\_ Statement(s) relating to the case
- \_\_\_\_\_ Statement(s) of the defendant and/or accomplice(s)
- \_\_\_\_\_ Social service report(s)
- \_\_\_\_\_ Search warrant(s)
- \_\_\_\_\_ Laboratory report(s)
- \_\_\_\_\_ Report(s) of medical or mental examination(s)
- \_\_\_\_\_ Criminal history information
- \_\_\_\_\_ Evidence receipt(s)
- \_\_\_\_\_ Diagram(s)/documentary exhibit(s)
- X   Photograph(s), video tape(s), audio tape(s), and DVDs

\_\_\_\_\_ Business/public record(s)

\_\_\_\_\_ Spreigl material

\_\_\_\_\_ Exculpatory material

  X   Other: Expert Witness Rule-26 Report of Michael Berkow, Report of Investigation, Affidavit of Scott A. Stillman, Preliminary Expert Report of John J. Ryan, Preliminary Expert Report of Dr. William Manion, Expert Report of John J. Ryan, Report or Affidavit of Glenn G. Hardin, MPH, DABFT, Report or Affidavit of William Louis Manion, M.D., Expert Report of Dr. S. Charles Schulz, II, Report or Affidavit of Michael M. Baden, M.D., Videotaped Deposition of Theodore C. Chan, M.D., Report or Affidavit of Sellman Charles Schulz, II, M.D., Report or Affidavit of Lawson F. Bernstein, Jr., M.D., Deposition of Joshua O. Zimmerman, Videotaped Deposition Transcript of Andrew M. Baker, M.D., Complaint, Memorandum In Support of Plaintiff's *Daubert* Motion to Exclude the Studies and Testimony of Theodore Chan, Reply Memorandum In Support of Plaintiff's *Daubert* Motion to Exclude the Studies and Testimony of Theodore Chan, The American Journal of Forensic Medical and Pathology - Asphyxial Death During Prone Restraint Revised: A Report of 21 Cases, Reports/Letters from Michael M. Baden, M.D. regarding David Cornelius Smith, deceased, Reports from Theodore C. Chan, M.D. regarding *Smith vs. City of Minneapolis*, No. 11-CV-03071, CV of Theodore Craig Chan, M.D., Exhibits 1-11 - Fussy Exhibit A, A Guide for Manner of Death Classification, Hennepin County Medical Examiner's file regarding David Smith.

The State may, pursuant to Minn. R. Evid. 608(b) or any other rule, cross-examine defendant, if defendant testifies, about any of defendant's conduct that is disclosed as part of this, any previous, or any subsequent, disclosure.

PURSUANT TO MINN. R. CRIM. P. 9.03, SUBD. 4, DISCOVERY MATERIALS SHALL REMAIN IN THE CUSTODY OF DEFENSE COUNSEL, shall not be placed in defendant's custody, and shall be used by defense counsel only for the purpose of conducting that attorney's side of the case. Absent an order from the court issued upon written motion, failure to comply with Minn. R. Crim. P. 9.03, subd. 4, may result in sanctions pursuant to Minn. R. Crim. P. 9.03, subd. 8.

Dated: November 24, 2020

Respectfully submitted,

KEITH ELLISON  
Attorney General  
State of Minnesota

/s/ Matthew Frank  
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