

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

STATE OF MINNESOTA,

**NOTICE OF MOTION AND MOTION
TO COMPEL DISCOVERY AND
REQUESTING AN IN-CAMERA
REVIEW**

PLAINTIFF,

V.

TOU THAO,

COURT FILE NO. 27-CR-20-12949

DEFENDANT.

TO: THE HONORABLE PETER A. CAHILL, JUDGE OF DISTRICT COURT, AND
MR. MATTHEW G. FRANK, ASSISTANT ATTORNEY GENERAL

NOTICE OF MOTION

Please take notice that as soon as counsel may be heard, Tou Thao (“Mr. Thao” hereinafter) will move the Court as follows.

MOTION

After the May 25, 2020 death of George Floyd (“Mr. Floyd” hereinafter) Hennepin County fired multiple employees for inappropriately accessing the medical records of Mr. Floyd. See Exhibits 1 and 2. The Defense has not received a list of those employees who were fired and/or reprimanded nor has the Defense received confirmation that Mr. Floyd’s medical records were not tampered with after his death. To adequately prepare for trial, the Defense needs confirmation that Mr. Floyd’s medical records are accurate and have not been tampered, altered, or looked at by any

Hennepin County employees or witnesses. Accordingly, Mr. Thao respectfully moves the Court for an order compelling the State to disclose the following:

1. A list of all Hennepin County employees who accessed Mr. Floyd's medical records from the date of his death to present.
2. A list of all Hennepin County Employees who were informally reprimanded, formally reprimanded, or fired for accessing Mr. Floyd's medical records.
3. An electronic log of all access times and edits to Mr. Floyd's medical records from his date of death to present.
4. Electronic copies of what edits and changes – if any – were made to Mr. Floyd's medical records from the date of his death to present.
5. Any and all other information in the possession of the Hennepin County Attorney's office and the Attorney General's office that relates to the internal investigation of the tampering of Mr. Floyd's medical records.

To protect the sensitive nature of these materials, Mr. Thao requests this Court to issue an order for an in-camera review of the requested material to determine what is relevant to the case of *State v. Thao*.

Respectfully submitted,

Dated: This 19th day of January, 2021

/s/ Robert M. Paule
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