

# Defense in OneTaste Related Case Alleges Evidence Tampering and Prosecutorial Misconduct

*OneTaste Founder and Senior Executive Charged by EDNY for Conspiracy to Commit Forced Labor Hit Back at Prosecution with Serious Claims of Malfeasance*

BROOKLYN, NJ, UNITED STATES, December 3, 2024 /EINPresswire.com/ -- Attorneys for Nicole



This motion reveals an alarming pattern of misconduct, raises questions about the integrity of the prosecution's evidence, and calls into question the legitimacy of the charges against our clients."

*Jennifer Bonjean*

Daedone and Rachel Cherwitz, defendants in the federal case involving allegations of conspiracy to commit forced labor, have [filed a motion in the Eastern District of New York](#) challenging the integrity of the prosecution's evidence. The motion raises claims of fabricated evidence and misconduct, calling for further investigation into the handling of critical documents by the prosecution and federal investigators.

Case: [U.S. v. Cherwitz et al., No. 23-cr-146](#)

Key Claims Raised in the Defense Motion:

## 1. Questions Surrounding Evidence Authenticity:

Metadata analysis reportedly indicates that key documents—referred to as “journals” and presented as contemporaneous accounts from 2015—were created in 2022 on Google Drive. The defense claims that these documents underwent substantial revisions before submission to the FBI in 2023, undermining their authenticity.

## 2. Allegations of Collusion in Document Creation:

The defense contends that the journals were co-authored by multiple contributors, including a Netflix filmmaker, rather than solely by a government witness, as the prosecution claimed. This assertion challenges the documents' credibility as evidence.

## 3. Tampering Allegations Against FBI Agent:

The motion alleges that [FBI Agent McGinnis](#) altered the documents by removing a heading that would have linked them to a later timeline associated with Netflix production. This purported alteration raises questions about handling evidence provided to the defense.

#### 4. Potential Brady Violations:

The defense asserts that the government withheld critical metadata and delayed providing handwritten journal versions that closely resemble the disputed electronic copies, potentially hindering the defense's ability to scrutinize the evidence fully.

#### 5. Defense Statement and Case Impact:

"This motion highlights significant concerns about the integrity of the prosecution's case," stated Jennifer Bonjean, defense counsel. "If the allegations of evidence fabrication and misconduct are substantiated, they cast doubt on the legitimacy of the charges."

The defense is seeking subpoenas for metadata and edit histories of the journals, which they believe will clarify the origins and authorship of the evidence. The motion also calls for an evidentiary hearing to investigate alleged misconduct by FBI Agent McGinnis and other parties involved in the evidence-handling process.

The contested journals form a central part of the prosecution's case, which alleges coercion and exploitation within OneTaste, a sexual wellness company. The defense has consistently maintained that the charges are unfounded and based on unreliable evidence.

#### Broader Implications:

If validated, these allegations could have far-reaching consequences, not only for this case but also for investigative practices in high-profile prosecutions. Concerns about potential collaboration between federal investigators and media producers have added a layer of complexity to the case.

#### Next Steps:

The court is expected to address these allegations in upcoming proceedings and may compel the government to disclose additional materials. The defense has emphasized safeguarding the constitutional right to a fair trial.

#### Case Background:

The case, *U.S. v. Cherwitz et al.*, No. 23-cr-146, involves charges of fraud and coercion related to OneTaste's operations. The next hearing will likely focus on the defense's motion and the implications of the raised allegations.

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