

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

ELIYAHU MIRLIS : CASE NO. 3:16cv678 (MPS)  
V. :  
DANIEL GREER : AUGUST 23, 2019

**PROPOSED INTERVENOR STATE OF CONNECTICUT'S  
MOTION TO INTERVENE AND UNSEAL**

NOW COMES the proposed intervenor, State of Connecticut and, pursuant to Rule 24 of the Federal Rules of Civil Procedure, moves to intervene and unseal the videotape of the deposition of Aviad Hack as to the proposed intervenor only. Intervention is sought in order to further the compelling interest of the State in the investigation and prosecution of criminal offenses—particularly those involving the abuse and/or exploitation of minors. See *Osborne v. Ohio*, 495 U.S. 103, 109, 110 S.Ct. 1691, 109 L.Ed.2d 98 (1990) (“It is evident beyond the need for elaboration that a State's interest in ‘safeguarding the physical and psychological well-being of a minor’ is ‘compelling’”); *New York v. Ferber*, 458 U.S. 747, 757, 102 S.Ct. 3348, 73 L.Ed.2d 1113 (1982) (“The prevention of sexual exploitation and abuse of children constitutes a government objective of surpassing importance”). The grounds for this motion are set forth more fully in the accompanying memorandum of law.

**CONCLUSION**

For the reasons set forth above, and in the accompanying memorandum of law, the State of Connecticut asks that the Court grant its motion to intervene and order the release of the videotaped deposition of Aviad Hack to its prosecuting authority.<sup>1</sup>

Respectfully submitted,

STATE OF CONNECTICUT

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<sup>1</sup> The prosecutor's authority over criminal matters is established by the state constitution as well as the General Statutes. For example, Article fourth, Section twenty-seven of the Connecticut state constitution provides that "[t]here shall be established within the executive department a division of criminal justice which shall be in charge of the investigation and prosecution of all criminal matters." "The division, through the Chief State's Attorney, shall participate on behalf of the state in all appellate, post-trial and postconviction proceedings arising out of the initiation of any criminal action whether or not the proceedings are denominated civil or criminal for other purposes." Connecticut General Statutes § 51-277. The Division is required to "take all steps necessary and proper to prosecute all crimes and offenses against the laws of the state and ordinances, regulations and bylaws of any town, city, borough, district or other municipal corporation or authority." Id.

**CERTIFICATION**

I hereby certify that on August 23, 2019, a copy of foregoing document was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ JO ANNE SULIK  
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