

# EXHIBIT A

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

RAJ RAJARATNAM

and

DANIELLE CHIESI,

Defendants.

**S1 09 Cr. 1184 (RJH)**

**DECLARATION OF  
DANIELLE CHIESI IN  
SUPPORT OF MOTION  
TO SUPPRESS STATEMENTS**

Defendant DANIELLE CHIESI declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. At about 6:00 in the morning on October 16, 2009, I was awakened by knocking on the door to my apartment. (I subsequently learned that the agents had told the doorman in the lobby of my building that he could not call up to my apartment and alert me that federal agents were on their way up.) Voices were shouting words to the effect of FBI or federal agents, open the door. Eventually, I opened the door and there were a group of men and women in the hallway, about 5 or 6 people. One of the women spoke, identifying herself and the others as FBI agents, she showed me credentials, and said they needed to come into my apartment. I asked why we couldn't talk in the hallway, and she insisted on coming into my apartment. They were wearing bulletproof vests and had sidearms, though none were brandished. They asked if I had weapons or animals in the apartment and I said no weapons, but a cat and fish. They asked if anyone else was present in the apartment and I said no. Some of the agents walked through my apartment, apparently to satisfy themselves that I was alone.

2. I asked what they wanted. Agent Diane Wehner responded, saying that they had an arrest warrant for me on charges of inside trading and were there to arrest me. She told me that they had been wiretapping me. She said that Raj Rajaratnam was already in custody, but that I had a chance to help myself by cooperating. Either way, she said, I was to be arrested, either that moment or later on if I agreed to cooperate. The agents then engaged me in conversation, continually suggesting that I could help myself if I agreed to cooperate and indeed, they asked me to make a monitored telephone call to a particular individual. At no time while in my apartment did the agents advise me of what I now understand to be my Miranda rights.

3. I have seen the FBI report of my arrest. It begins with:

“On 10/16/2009, DANIELLE CHIESI, 418 East 59<sup>th</sup> Street, Apt. 35A, New York, NY, was approached at her home. After being advised of the identities of the interviewing Agents, and being verbally advised of her rights, CHIESI provided the following:”

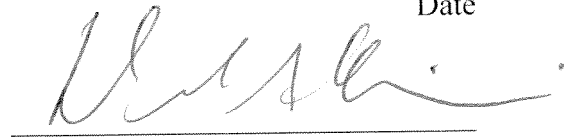
The foregoing statement, that in my apartment I was advised of my rights before the agents engaged me in conversation, is false. I was not advised of my rights until much later, after I was taken to the FBI offices. There, I was orally advised of my rights and, I believe, asked to sign a form to acknowledge that I had been advised of my rights, which I did.

4. From the moment the agents arrived at my apartment, I did not believe that I had the right or the ability to cause them to leave or that I had the right or the ability to leave myself. The agents insisted on entering my apartment. They told me that they had a warrant for my arrest and I was to be arrested. They told me that Mr. Rajaratnam was already in custody. They would not allow me to be unaccompanied at any point in time. When I asked to make a telephone call, they refused (unless it was the one they were urging me to make). I specifically asked to call my mother; they refused. When I needed to go the bathroom, a female

agent went with me. They refused to let me take a shower. When it was time to take me downtown, a female agent accompanied me into my bedroom and told me what I could wear.

5. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: APRIL 16, 2010 Date



Danielle Chiesi