



**Food and Drug Administration
OFFICE OF CRIMINAL INVESTIGATIONS
MEMORANDUM OF INTERVIEW**

CASE NUMBER: 2010-SFC-735-0280

CASE TITLE: PRIMORDIAL PERFORMANCE

DOCUMENT NUMBER: 209932

PERSON INTERVIEWED: ERIC POTRATZ

PLACE OF INTERVIEW: Telephonic

DATE OF INTERVIEW: 11/16/2012

TIME OF INTERVIEW: 1:20PM

INTERVIEWED BY: Special Agent ^{(b) (7)(F)} _____

OTHER PERSONS PRESENT: Assistant United States Attorney Matthew Parrella

On Friday, November 16, 2012 at approximately 1:20PM ERIC POTRATZ called Assistant United States Attorney Matthew Parrella. AUSA Parrella then contacted me, Special Agent ^{(b) (7)(F)} _____, on a conference line to participate in the conversation with POTRATZ.

POTRATZ stated he was calling in response to the letter he received from AUSA Parrella. POTRATZ stated the letter instructed him to contact AUSA Parrella to resolve the matter. AUSA Parrella told POTRATZ that a resolution of the case involved a pre-indictment guilty plea by POTRATZ. POTRATZ asked if a pre-indictment plea was diversion; AUSA Parrella explained that it was not. AUSA Parrella told POTRATZ that the letter was intended to advise him that he was a target of a federal investigation and he should seek legal representation. The letter is included as Attachment 1.

POTRATZ asked how long it would take for the case against him to be resolved. AUSA Parrella told POTRATZ that he should contact an attorney who would be able to answer his questions. AUSA Parrella told POTRATZ he could find an attorney on his own or contact the Federal Public Defender's Office, whose number was provided to POTRATZ in the letter. AUSA Parrella told POTRATZ that Federal Public Defender's Office would evaluate his assets to determine if he was eligible for representation.

POTRATZ asked AUSA Parrella if he would need to travel to California in order to resolve the case. AUSA Parrella stated that in his experience he believed it would be likely POTRATZ would have to travel to San Jose, CA in order to enter a guilty plea. AUSA Parrella reiterated that POTRATZ should ask his own attorney these questions.

No facts of the investigation or any substantive matters were discussed during the call. POTRATZ was advised several times to contact legal representation. The call was terminated by POTRATZ at approximately 1:30PM.

NAME-TITLE _____	NAME-TITLE _____
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(b) (7)(F) _____, Special Agent

DATE 11/19/2012

DATE

SUBMITTED: _____

DATE:

APPROVED: Electronically approved by Lisa Malinowski, Special Agent in Charge

Lisa Malinowski, Special Agent in Charge,

DATE: 11/19/2012

DISTRIBUTION: Orig: SFC
CC: LAC

ATTACHMENTS: Attachment 1: Copy of target letter dated November 14, 2012