



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

April 14, 2020

BY ECF

The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Lev Parnas, et al.*, 19 Cr. 725 (JPO)

Dear Judge Oetken:

The Government respectfully writes on behalf of all parties in the above-referenced case concerning the trial date and related scheduling matters. In light of the disruptions caused by the COVID-19 pandemic, the parties have been in discussions regarding the feasibility of adhering to the schedule currently in place, which calls for pretrial motions to be filed by May 1, 2020, a pretrial conference to be held on July 16, 2020, and trial to commence on October 5, 2020. Among other things, the Government has informed the defendants that its timeline for seeking a superseding indictment has been pushed back due to issues involving the availability of witnesses and grand jurors given the pandemic-related travel and social-distancing restrictions. Defense counsel has likewise noted that their ability to meet with their clients, review discovery, and prepare their defense has been hampered by the same restrictions.

As such, and given the considerable uncertainty surrounding any timeline for a relaxation or removal of those restrictions, the defendants have proposed to adjourn the current schedule as follows, to which the Government does not object:

- Pretrial motions due by October 5, 2020; responses due by November 2, 2020; and replies due by November 16, 2020.
- Pretrial conference adjourned from July 16, 2020 to November 30, 2020.
- Trial adjourned from October 5, 2020 to a date in February 2021 convenient for the Court.

In the event the trial is adjourned, the parties respectfully request that the Court exclude time under the Speedy Trial Act through the new trial date in the interests of justice pursuant to 18 U.S.C. § 3161(h)(7)(A) in order to allow the parties time to (i) continue producing and reviewing discovery, (ii) prepare and respond to pretrial motions, and (iii) prepare for trial.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

By: /s _____
Douglas Zolkind
Rebekah Donaleski
Nicolas Roos
Assistant United States Attorneys
(212) 637-2418/2423/2421

cc: All counsel of record (via ECF)

The parties' request to adjourn the trial date and pretrial deadlines is GRANTED.

Pretrial motions shall be filed by **October 5, 2020**; responses by **November 2, 2020**; and replies by **November 16, 2020**.

The parties shall confer and, no later than **November 24, 2020**, shall file an agreed-upon proposed schedule addressing any remaining pretrial filing and disclosure deadlines. If the parties are unable to agree on a schedule, the parties shall submit a joint letter by the same date addressing the disputed issues and the parties' proposals.

A pretrial conference will be held on **November 30, 2020**, at 2:00 p.m.

The final pretrial conference will be held on **January 19, 2021**, at 2:00 p.m.

The trial date is hereby adjourned to **February 1, 2021**.

The Court hereby excludes time under the Speedy Trial Act, 18 U.S.C. 3161(h)(7)(A), through February 1, 2021, finding that the ends of justice outweigh the interests of the public and the defendants in a speedy trial for the reasons stated in this letter.

SO ORDERED.

Dated: April 15, 2020



J. PAUL OETKEN
United States District Judge