
USA v. Mostofsky.

Dkt.#	Date	Description
1	01/11/2021	COMPLAINT as to AARON MOSTOFSKY (1). [1:21-mj-00034-ZMF] Attachments: 1 Statement of Facts) (zltf)
	01/12/2021	Case unsealed as to AARON MOSTOFSKY (zltf) [1:21-mj-00034-ZMF] (Text entry; no document attached.)
3	01/12/2021	Rule 5(c)(3) Documents Received as to AARON MOSTOFSKY from U.S. District Court Eastern District of New York (Brooklyn) Case Number 1:21-mj-27-SJB (bb) [1:21-mj-00034-ZMF]
	01/12/2021	Arrest of AARON MOSTOFSKY in US District Court Eastern District of New York (Brooklyn). (bb) [1:21-mj-00034-ZMF] (Text entry; no document attached.)
4	01/25/2021	NOTICE OF ATTORNEY APPEARANCE Jeffrey Napoleon Poulin appearing for USA. [1:21-mj-00034-ZMF]
	01/25/2021	JOINT ORAL MOTION for Speedy Trial Waiver by AARON MOSTOFSKY. (zpt) [1:21-mj-00034-ZMF] (Text entry; no document attached.)
	01/25/2021	Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as

to AARON MOSTOFSKY (1) held on 1/25/2021. Joint Oral Motion for Speedy Trial Waiver by AARON MOSTOFSKY (1) Heard and Granted. Status Hearing set for 3/22/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge Zia M. Faruqui. Bond Status of Defendant: Defendant Placed on Personal Recognizance; FTR Time Frame: CTRM 5 [2:38:48-2:58:44]; Defense Attorney: Shelli Peterson; US Attorney: Kelly Smith; Pretrial Officer: Andre Sidbury; (zpt) [1:21-mj-00034-ZMF] (Text entry; no document attached.)

5 01/25/2021 ORDER Setting Conditions of Release as to AARON MOSTOFSKY (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 1/25/2021. [1:21-mj-00034-ZMF]

Attachments:

1 Appearance Bond) (zpt)

01/25/2021 MINUTE ORDER as to AARON MOSTOFSKY (1). As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings. Signed by Magistrate Judge G. Michael Harvey on 1/25/2021.(zpt) [1:21-mj-00034-ZMF] (Text entry; no document attached.)

6 02/19/2021 INDICTMENT as to AARON MOSTOFSKY (1) count(s) 1, 2, 3, 4, 5, 6, 7, 8. (zltp)

02/22/2021 MINUTE ORDER as to AARON MOSTOFSKY (1): Pursuant to the Due Process Protections Act, the Court ORDERS that all government counsel shall review their disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, as set forth in Local Criminal Rule 5.1, and comply with those provisions. The failure to comply could result in dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, continuances, Bar discipline, or any other remedy that is just under the circumstances. So ORDERED by Judge James E. Boasberg on 2/22/2021. (Text entry; no document attached.)

02/23/2021 MINUTE ORDER as to AARON MOSTOFSKY (1): After

discussion with the parties, the Court ORDERS an Arraignment/Status Conference is set for 3/9/2021 at 11:30 AM before Judge James E. Boasberg. The hearing will proceed by videoconference for the parties and by telephone for members of the public. Pursuant to Standing Order 20-20 (BAH), the Court will provide public access to the hearing. It is hereby ORDERED that the participants using the public access telephone line shall adhere to the rules set forth in Standing Order 20-20 (BAH), available on the Court's website. Toll Free Number: 866-434-5269; Access Code: 2989848 Signed by Judge James E. Boasberg on 2/23/2021.(Text entry; no document attached.)

03/09/2021 Minute Entry for proceedings held before Judge James E. Boasberg: Arraignment/Status Conference as to AARON MOSTOFISKY (1) held on 3/9/2021. Defendant ARRAIGNED and plea of NOT GUILTY entered as to counts 1-8. Oral request to Modify Conditions of Release, HEARD and GRANTED. The Court ORDERS that the defendant is permitted to travel at any point to New Jersey. The Court also finds that the period from March 9, 2021 through March 24, 2021, inclusive, is excluded from the Speedy Trial calculation in the Interest of Justice (XT). Excludable started as to AARON MOSTOFISKY (1). Status Conference set for 3/24/2021 at 11:30 AM in Telephonic/VTC before Judge James E. Boasberg. Bond Status of Defendant: remains on PERSONAL RECOGNIZANCE BOND (PR)/appeared via video; Court Reporter: Lisa Griffith; Defense Attorney: Jeffrey Todd Schwartz; US Attorney: Jeffrey Napoleon Poulin. (Text entry; no document attached.)

9 03/12/2021 NOTICE OF ATTORNEY APPEARANCE: Nicholas D. Smith appearing for AARON MOSTOFISKY

10 03/12/2021 NOTICE OF ATTORNEY APPEARANCE: David Benjamin Smith appearing for AARON MOSTOFISKY

12 03/24/2021 Unopposed MOTION to Continue and to Exclude Time Under the Speedy Trial Act by USA as to AARON MOSTOFISKY.

Attachments:

1 Text of Proposed Order

03/24/2021 Minute Entry for proceedings held before Judge James E. Boasberg: Status Conference as to AARON MOSTOFISKY (1)

held on 3/24/2021. Oral Motion to Withdraw as Counsel by Jeffrey Todd Schwartz, HEARD and GRANTED. The Court also finds that the period from March 24, 2021 through April 26, 2021, inclusive, is excluded from the Speedy Trial calculation in the Interest of Justice (XT). Excludable started as to AARON MOSTOFSKY (1). Status Report due by 4/26/2021 Bond Status of Defendant: remains on PERSONAL RECOGNIZANCE BOND (PR)/appeared via video; Court Reporter: Lisa Griffith; Defense Attorney: David Benjamin Smith, Jeffrey Todd Schwartz, and Nicholas D. Smith; US Attorney: Jeffrey Napoleon Poulin. (Text entry; no document attached.)

	03/24/2021	Attorney update in case as to AARON MOSTOFSKY (1). Attorney Jeffrey Todd Schwartz terminated. (Text entry; no document attached.)
13	03/26/2021	Unopposed MOTION for Protective Order by USA as to AARON MOSTOFSKY. Attachments: 1 Text of Proposed Order
14	03/29/2021	ORDER granting 13 Motion for Protective Order as to AARON MOSTOFSKY (1). Signed by Judge James E. Boasberg on 3/26/21.
15	03/24/2021	MOTION to Exclude Time by USA as to AARON MOSTOFSKY. (See docket entry 12 to view document). (zstd)
16	04/08/2021	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Paschall, Kimberly Louise added.
17	04/26/2021	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Lindberg, Graciela Rodriguez added. Substituting for attorney Kimberly Louise Paschall
18	04/26/2021	Joint STATUS REPORT by USA as to AARON MOSTOFSKY
19	04/26/2021	MOTION to Continue, MOTION to Exclude Time Under the Speedy Trial Act by USA as to AARON MOSTOFSKY. Attachments: 1 Text of Proposed Order
	04/28/2021	MINUTE ORDER as to AARON MOSTOFSKY (1): The Court ORDERS the parties appear by video for a hearing on 19 MOTION to Continue, MOTION to Exclude Time Under the Speedy Trial Act by USA. Hearing set for 4/30/2021 at 02:00

PM in Telephonic/VTC before Judge James E. Boasberg. So ORDERED by Judge James E. Boasberg on 4/28/2021. (Text entry; no document attached.)

04/30/2021 Minute Entry for proceedings held before Judge James E. Boasberg: Motion Hearing as to AARON MOSTOFSKY (1) held on 4/30/2021 re 19 MOTION to Continue MOTION to Exclude Time Under the Speedy Trial Act filed by USA. Oral arguments heard, motion GRANTED for the reasons stated on the record. The Court finds that the period from April 30, 2021 through June 3, 2021, inclusive, is excluded from the Speedy Trial calculation in the Interest of Justice (XT). Excludable started as to AARON MOSTOFSKY(1) Status Conference set for 6/3/2021 at 10:00 AM in Telephonic/VTC before Judge James E. Boasberg. Bond Status of Defendant: remains on PERSONAL RECOGNIZANCE BOND(PR)/appeared via audio; Court Reporter: Lisa Griffith; Defense Attorney: Nick Smith and David Smith; US Attorney: Graceila Lindberg. (Text entry; no document attached.)

06/02/2021 NOTICE OF COURTROOM TIME CHANGE in case as to AARON MOSTOFSKY (1)Status Conference set for 6/3/2021 at 03:45 PM in Telephonic/VTC before Judge James E. Boasberg. (Text entry; no document attached.)

06/03/2021 NOTICE OF COURTROOM TIME CHANGE in case as to AARON MOSTOFSKY (1)Status Conference set for 6/3/2021 at 03:45 PM in Telephonic/VTC before Judge James E. Boasberg. (znbn) (Text entry; no document attached.)

06/03/2021 MINUTE ORDER as to AARON MOSTOFSKY (1): Due to a scheduling conflict with the Court's calendar, and after discussion with the parties, the Court ORDERS that the Status Conference set for 6/3/2021 at 3:45 PM is VACATED and RESET to 6/11/2021 at 09:30 AM in Telephonic/VTC before Judge James E. Boasberg. The Court FURTHER ORDERS that the Speedy Trial Clock is tolled though June 11, 2021 in the Interest of Justice (XT). So ORDERED by Judge James E. Boasberg on 6/3/2021. (Text entry; no document attached.)

06/11/2021 Minute Entry for proceedings held before Judge James E. Boasberg: Status Conference as to AARON MOSTOFSKY held on 6/11/2021. Further Status Conference set for 6/25/2021 at 10:30 AM in Telephonic/VTC before Judge

James E. Boasberg. The Court finds it in the interest of justice to toll the speedy trial clock from 6/25/2021 through 6/25/2021. Bond Status of Defendant: remains on personal recognizance; Court Reporter: Lorraine Herman; Defense Attorneys: David Benjamin Smith and Nicholas D. Smith; US Attorney: Graciela Rodriguez Linberg. (Text entry; no document attached.)

23 06/23/2021 Unopposed MOTION for Disclosure of Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials by USA as to AARON MOSTOFSKY.

Attachments:

1 Text of Proposed Order

25 06/23/2021 SUPERSEDING INDICTMENT as to AARON MOSTOFSKY (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s. (zstd)

27 06/24/2021 First MOTION for Bill of Particulars regarding the superseding indictment by AARON MOSTOFSKY.

06/25/2021 Minute Entry for proceedings held before Judge James E. Boasberg: Video Arraignment as to AARON MOSTOFSKY (1). Defendant ARRAIGNED on counts 1s-8s of the Superseding Indictment and entered a plea of NOT GUILTY. The Court finds that the period from June 25, 2021 through July 26, 2021, inclusive, is excluded from the Speedy Trial calculation in the Interest of Justice (XT). Excludable started as to AARON MOSTOFSKY. Status Conference set for 7/26/2021 at 11:00 AM in Telephonic/VTC before Judge James E. Boasberg. Bond Status of Defendant: remains on PERSONAL RECOGNIZANCE BOND (PR)/appeared via video; Court Reporter: Sara Wick; Defense Attorney: David Smith and Nicholas Smith; US Attorney: Graciela Roderiguez-Lindberg. (Text entry; no document attached.)

28 06/30/2021 MOTION to Compel Production of Mobile Phone by AARON MOSTOFSKY.

Attachments:

1 Exhibit 1
2 Exhibit 2
3 Exhibit 3
4 Exhibit 4
5 Exhibit 5

6 Exhibit 6

7 Exhibit 7

8 Exhibit 8

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- 29 07/02/2021 NOTICE of Withdrawal by AARON MOSTOFSKY re 28 MOTION to Compel Production of Mobile Phone
- Attachments:**
- 1 Exhibit 1
-
- 30 07/06/2021 ORDER granting 23 Motion for Disclosure as to AARON MOSTOFSKY (1). Signed by Judge James E. Boasberg on 7/6/2021.
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- 31 07/07/2021 RESPONSE by USA as to AARON MOSTOFSKY re 27 First MOTION for Bill of Particulars regarding the superseding indictment
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- 32 07/13/2021 REPLY in Support by AARON MOSTOFSKY re 27 First MOTION for Bill of Particulars regarding the superseding indictment
-
- 33 07/15/2021 NOTICE of Filing Discovery Correspondence by USA as to AARON MOSTOFSKY
- Attachments:**
- 1 Discovery Letter
-
- 34 07/21/2021 NOTICE of United States' Memorandum Regarding Status of Discovery by USA as to AARON MOSTOFSKY
- Attachments:**
- 1 Exhibit A
-
- 07/26/2021 Minute Entry for proceedings held before Judge James E. Boasberg: Status Conference as to AARON MOSTOFSKY (1) held on 7/26/2021. The Court finds that the period from July 26, 2021 through August 6, 2021, inclusive, is excluded from the Speedy Trial calculation in the Interest of Justice (XT). Excludable started as to AARON MOSTOFSKY (1). Status Conference set for 8/6/2021 at 11:00 AM in Telephonic/VTC before Judge James E. Boasberg. Bond Status of Defendant: remains on PERSONAL RECOGNIZANCE BOND (PR)/appeared via video; Court Reporter: Lisa Griffith; Defense Attorney: David Smith and Nicholas Smith; US Attorney: Graciela Roderiguiz. (znbn) (Text entry; no document attached.)
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- 36 07/27/2021 ORDER granting in part and denying in part 27 Motion for Bill

of Particulars as to AARON MOSTOFSKY (1).
Signed by Judge James E. Boasberg on 7/27/2021.

37	07/27/2021	MEMORANDUM OPINION in re of 36 ORDER granting in part and denying in part 27 Motion for Bill of Particulars as to AARON MOSTOFSKY (1). Signed by Judge James E. Boasberg on 7/27/2021.
38	08/04/2021	RESPONSE TO ORDER OF THE COURT by USA as to AARON MOSTOFSKY re 36 Order on Motion for Bill of Particulars
	08/06/2021	Minute Entry for proceedings held before Judge James E. Boasberg: Video Status Conference as to AARON MOSTOFSKY (1) held on 8/6/2021. Minute Order forthcoming. Bond Status of Defendant: remains onf PERSONAL RECOGNIZANCE BOND (PR)/appeared via video; Court Reporter: Lisa Griffith; Defense Attorney: David Smith and Nicholas Smith; US Attorney: Graciela Rodriguez Lindberg. (znbn) (Text entry; no document attached.)
	08/06/2021	MINUTE ORDER as to AARON MOSTOFSKY (1): As discussed at today's hearing, the Court ORDERS that: 1) All pretrial motions shall be filed by September 1, 2021; 2) The parties shall appear via video for a further status hearing on September 9, 2021, at 11:30 a.m.; and 3) Trial shall commence on October 18, 2021, at 9:30 a.m. So ORDERED by Judge James E. Boasberg on 8/6/2021. (znbn) (Text entry; no document attached.)
40	08/16/2021	MOTION to Compel Federally Protected Function Evidence on an Expedited Basis by AARON MOSTOFSKY.
41	08/18/2021	MOTION to Compel Production of Brady Compilation Evidence by AARON MOSTOFSKY.
42	08/20/2021	RESPONSE by USA as to AARON MOSTOFSKY re 40 MOTION to Compel Federally Protected Function Evidence on an Expedited Basis
43	08/23/2021	REPLY TO OPPOSITION to Motion by AARON MOSTOFSKY re 40 MOTION to Compel Federally Protected Function Evidence on an Expedited Basis
44	08/26/2021	NOTICE of United States' Memorandum Regarding Status of Discovery as of August 23, 2021 by USA as to AARON MOSTOFSKY
45	08/30/2021	STRICKEN PURSUANT TO THE MINUTE ORDER FILED

ON 8/31/2021.First MOTION to Dismiss Count One, Two, Five and Six of the Superseding Indictment by AARON MOSTOFSKY. Modified on 8/31/2021 (znbn).

46 08/30/2021 MOTION for Leave to File Excess Pages in Motion to Dismiss Counts One, Two, Five and Six of the Superseding Indictment by AARON MOSTOFSKY.

08/31/2021 MINUTE ORDER as to AARON MOSTOFSKY (1): The Court ORDERS that Defendant's 46 Motion for Excess Pages is GRANTED IN PART and DENIED IN PART. His 45 First Motion to Dismiss is STRICKEN, and any refiled Motion shall not exceed 60 pages with no more than 15 footnotes containing no more than 50 aggregate lines of text. So ORDERED by Judge James E. Boasberg on 8/31/2021. (Text entry; no document attached.)

47 08/31/2021 Second MOTION to Dismiss Count One, Two, Five and Six of the Superseding Indictment by AARON MOSTOFSKY.

Attachments:

- 1 Exhibit Section 231(a)(3) Defs.
- 2 Exhibit Certificate of Service

48 09/01/2021 MOTION to Vacate Trial Date and, MOTION to Continue Trial and, MOTION to Exclude Time Under the Speedy Trial Act by USA as to AARON MOSTOFSKY.

49 09/01/2021 RESPONSE by USA as to AARON MOSTOFSKY re 41 MOTION to Compel Production of Brady Compilation Evidence

50 09/06/2021 Memorandum in Opposition by AARON MOSTOFSKY re 48 MOTION to Vacate Trial Date and MOTION to Continue Trial and MOTION to Exclude Time Under the Speedy Trial Act

52 09/08/2021 REPLY TO OPPOSITION to Motion by USA as to AARON MOSTOFSKY re 48 MOTION to Vacate Trial Date and MOTION to Continue Trial and MOTION to Exclude Time Under the Speedy Trial Act

09/09/2021 Minute Entry for proceedings held before Judge James E. Boasberg: Status Conference as to AARON MOSTOFSKY (1) held on 9/9/2021. After oral argument, the Court GRANTS the Government's 48 MOTION to Vacate Trial Date and, MOTION to Continue Trial and, MOTION to Exclude Time Under the Speedy Trial Act. The Court ORDERS that the Jury Trial set for 10/18/2021 is VACATED and RESET to 1/24/2022 at

09:30 AM in Courtroom 25A- In Person before Judge James E. Boasberg. The Court FURTHER ORDERS that the period from September 9, 2021 through January 24, 2022, inclusive, is excluded from the Speedy Trial calculation in the Interest of Justice (XT). Excludable started as to AARON MOSTOFSKY (1). The parties shall appear via video for a further status hearing on 10/18/2021 at 9:30 AM in Telephonic/VTC before Judge James E. Boasberg. The parties are ORDERED to file a Joint Status Report by 10/14/2021. Bond Status of Defendant: remains on Personal Recognizance Bond (PR)/appeared via video; Court Reporter: Lisa Griffith; Defense Attorney: David Smith and Nicholas Smith; US Attorney: Graciela Rodriguez Lindberg, Emily Miller, and Norman Gross. (znbn) (Text entry; no document attached.)

09/09/2021 Set/Reset Hearings as to AARON MOSTOFSKY:Status Conference set for 10/18/2021 at 09:30 AM in Telephonic/VTC before Judge James E. Boasberg. (znbn) (Text entry; no document attached.)

53 09/09/2021 NOTICE of Factual Support for Status Conf. Statements re Government Position re Administration of Justice by AARON MOSTOFSKY

54 09/10/2021 NOTICE of Recent Authority in The Dream Defenders v. Ron DeSantis (N.D. Fla. Sept. 9, 2021) by AARON MOSTOFSKY re 47 Second MOTION to Dismiss Count One, Two, Five and Six of the Superseding Indictment

Attachments:

1 Exhibit 1

55 09/13/2021 Unopposed MOTION for Extension of Time to File Response/Reply as to 47 Second MOTION to Dismiss Count One, Two, Five and Six of the Superseding Indictment by USA as to AARON MOSTOFSKY.

09/13/2021 MINUTE ORDER granting 55 Motion for Extension of Time to File Response/Reply as to AARON MOSTOFSKY (1): The Court ORDERS that the Government shall file its opposition to Mostofsky's second Motion to Dismiss Counts One, Two, Five, and Six by 9/21/2021. So ORDERED by Judge James E. Boasberg on 9/13/2021. (znbn) (Text entry; no document attached.)

56 09/16/2021 NOTICE United States' Memorandum Regarding Status of

Discovery as of September 14, 2021 by USA as to
AARON MOSTOFSKY

57	09/21/2021	RESPONSE by USA as to AARON MOSTOFSKY re 47 Second MOTION to Dismiss Count One, Two, Five and Six of the Superseding Indictment
58	09/22/2021	MOTION for Hearing on Second Motion to Dismiss Counts of the Superseding Indictment, to be held the week beginning October 4, pursuant to LCrR 47(f) by AARON MOSTOFSKY.
	09/22/2021	MINUTE ORDER as to AARON MOSTOFSKY (1): The Court ORDERS that Defendant's 58 Motion for hearing is DENIED WITHOUT PREJUDICE. If the Court believes a hearing would be helpful, it will schedule one after consultation with the parties on dates. So ORDERED by Judge James E. Boasberg on 9/22/2021. (Text entry; no document attached.)
59	09/27/2021	Unopposed MOTION for Extension of Time to File Response/Reply as to 47 Second MOTION to Dismiss Count One, Two, Five and Six of the Superseding Indictment re three-day extension of time for reply by AARON MOSTOFSKY.
	09/27/2021	MINUTE ORDER granting 59 Motion for Extension of Time to File Response/Reply as to AARON MOSTOFSKY (1): The Court ORDERS that defendant Mostofskys Reply Brief is due by October 1, 2021. So ORDERED by Judge James E. Boasberg on 9/27/21. (Text entry; no document attached.)
60	09/29/2021	MOTION for Leave to File Excess Pages in line with Parties' Opening Memoranda by AARON MOSTOFSKY.
	09/29/2021	MINUTE ORDER granting 60 Motion for Leave to File Excess Pages as to AARON MOSTOFSKY (1). So ORDERED by Judge James E. Boasberg on 9/29/2021. (znbn) (Text entry; no document attached.)
61	09/29/2021	REPLY TO OPPOSITION to Motion by AARON MOSTOFSKY re 47 Second MOTION to Dismiss Count One, Two, Five and Six of the Superseding Indictment
62	10/08/2021	NOTICE of Multiple Government Plea Agreements Concerning Parading in the Capitol Offenses Involving Conduct More Serious Than Mostofsky's by AARON MOSTOFSKY re 47 Second MOTION to Dismiss Count One, Two, Five and Six of the Superseding Indictment
63	10/13/2021	NOTICE of Comprehensive January 6 Plea Agreement Chart

Published on 10/13/21 by AARON MOSTOFSKY re 47
Second MOTION to Dismiss Count One, Two, Five and Six of
the Superseding Indictment

Attachments:

1 Exhibit Jan 6 Plea Agreement Chart

64	10/14/2021	Joint STATUS REPORT by USA as to AARON MOSTOFSKY
	10/18/2021	Minute Entry for proceedings held before Judge James E. Boasberg: Video Status Conference as to AARON MOSTOFSKY (1) held on 10/18/2021. A further Status Conference is set for 11/22/2021 at 11:00 AM in Telephonic/VTC before Judge James E. Boasberg. Bond Status of Defendant: remains on Personal Recognizance Bond; Court Reporter: Lisa Griffith; Defense Attorney: David Smith and Nicholas Smith; US Attorney: Graciela Rodriguez Lindberg. (Text entry; no document attached.)
66	10/26/2021	NOTICE of Recent Government Offers to Drop Section 1512(c)(2) Charges in January 6 Cases by AARON MOSTOFSKY re 47 Second MOTION to Dismiss Count One, Two, Five and Six of the Superseding Indictment
67	11/03/2021	NOTICE REGARDING STATUS OF DISCOVERY by USA as to AARON MOSTOFSKY
68	11/05/2021	NOTICE REGARDING STATUS OF DISCOVERY by USA as to AARON MOSTOFSKY
69	11/10/2021	SECOND SUPERSEDING INDICTMENT as to AARON MOSTOFSKY (1) count(s) 1ss, 2ss, 3ss, 4ss, 5ss, 6ss, 7ss, 8ss. (zstd)
71	11/15/2021	NOTICE of Mostofsky's Position Re Return of Second Superseding Indictment Following Briefing on Motion to Dismiss the First Superseding Indictment by AARON MOSTOFSKY re 69 Indictment
72	11/16/2021	RESPONSE by USA as to AARON MOSTOFSKY re 71 Notice (Other)
73	11/18/2021	NOTICE OF ATTORNEY APPEARANCE Michael John Romano appearing for USA.
	11/22/2021	Minute Entry for proceedings held before Judge James E. Boasberg: Video Arraignment as to AARON MOSTOFSKY (1) held on 11/22/2021. Defendant arraigned and a plea of NOT GUILTY entered on counts 1ss-8ss as to AARON MOSTOFSKY. Motion in Limine due by 12/13/2021. Status

Conference set for 12/21/2021 at 11:30 AM in
Telephonic/VTC before Judge James E. Boasberg. Bond
Status of Defendant: remains on PERSONAL
RECOGNIZANCE BOND
(PR)/appeared via Zoom video; Court Reporter: Lisa Griffith;
Defense Attorney: David Smith and Benjamin Smith; US
Attorney: Graciela Rodriguez-Lindberg and Michael Romano.
(Text entry; no document attached.)

75 11/22/2021 NOTICE of Briefing on the Meaning of the Term "Corruptly" in
the Context of Obstruction of Congress by AARON
MOSTOFSKY re 47 Second MOTION to Dismiss Count One,
Two, Five and Six of the Superseding Indictment

Attachments:

1 Exhibit Supplemental Brief on "Corruptly" Element

76 11/24/2021 Memorandum in Opposition by USA as to AARON
MOSTOFSKY re 47 Second MOTION to Dismiss Count One,
Two, Five and Six of the Superseding Indictment

77 11/30/2021 REPLY by AARON MOSTOFSKY re 76 Memorandum in
Opposition re the Government's New Commerce Argument
under Section 231(a)(3)

78 12/02/2021 NOTICE Supplemental Briefing by USA as to AARON
MOSTOFSKY re 75 Notice (Other)

Attachments:

1 Supplement

79 12/07/2021 NOTICE Reply Briefing by USA as to AARON MOSTOFSKY
re 75 Notice (Other)

Attachments:

1 Supplement

80 12/07/2021 MOTION for Leave to File Response to Severability Claim by
USA as to AARON MOSTOFSKY.

81 12/07/2021 REPLY by AARON MOSTOFSKY re 79 Notice (Other) re The
Government's Submissions of Legal Memoranda After the
Briefing Cycle Has Closed

Attachments:

1 Exhibit Brief in reply to the Nordean supplement on
"corruptly" submitted at ECF No. 79-1

82 12/13/2021 MOTION in Limine Regarding Cross-Examination of U.S.
Secret Service Witnesses by USA as to AARON
MOSTOFSKY.

83	12/13/2021	MOTION in Limine to Preclude Certain Defense Arguments and Evidence by USA as to AARON MOSTOFSKY.
84	12/13/2021	MOTION in Limine Regarding Authentication of Video Evidence by USA as to AARON MOSTOFSKY.
85	12/20/2021	Unopposed MOTION to Continue Trial for 60 days by AARON MOSTOFSKY.
	12/21/2021	Minute Entry for proceedings held before Judge James E. Boasberg: Video Status Conference as to AARON MOSTOFSKY (1) held on 12/21/2021. The Court ORDERS 85 Unopposed MOTION to Continue Trial for 60 days is GRANTED for the reason stated on the record. The Court FURTHER ORDERS that the period from January 24, 2022 through March 23, 2022, inclusive, is excluded from the Speedy Trial calculation in the Interest of Justice (XT). Excludable started as to AARON MOSTOFSKY (1). Pretrial Conference set for 3/1/2022 at 11:00 AM in Telephonic/VTC before Judge James E. Boasberg. Jury Trial set for 3/23/2022 at 09:30 AM in Courtroom 25A- In Person before Judge James E. Boasberg. Bond Status of Defendant: remains on PERSONAL RECOGNIZANCE BOND (PR)/appeared via Zoom video; Court Reporter: Lisa Griffith; Defense Attorney: David Smith and Nicholas Smith; US Attorney: Graciela Rodriguiz-Lindberg and Michael Romano. (Text entry; no document attached.)
	12/21/2021	MINUTE ORDER as to AARON MOSTOFSKY (1): As discussed at today's status hearing, the Court ORDERS that: 1) The trial date of January 24, 2022, is VACATED and RESET for March 23, 2022, at 9:30 a.m.; 2) Defendant's oppositions to Government in limine motions are due by January 14, 2022, with Government replies due by January 28, 2022; 3) A joint pretrial statement, including identification of Government witnesses (and a brief summary of their testimony) and exhibits, Defense objections, and a listing of any lesser-included offenses either side may seek shall be submitted by February 22, 2022; 4) A pretrial conference shall take place on March 1, 2022 at 11:00 a.m.; 5) Defendants [40, 41] Motions are DENIED as moot, as is the Government's 80 Motion for Leave; and 6) Defendants 85 Motion to Continue is GRANTED. So ORDERED, by Judge James E. Boasberg on 12/21/2021. (Text entry; no document attached.)

	12/21/2021	Set/Reset Deadlines as to AARON MOSTOFSKY (1): Pretrial Statement due by 2/22/2022. (Text entry; no document attached.)
87	12/21/2021	ORDER: For the reasons set forth in the accompanying Memorandum Opinion, the Court ORDERS that Defendant's 47 Second Motion to Dismiss is DENIED. Signed by Judge James E. Boasberg on 12/21/2021. (lcjeb2)
88	12/21/2021	MEMORANDUM OPINION re 87 Order on Defendant's Second Motion to Dismiss. Signed by Judge James E. Boasberg on 12/21/2021. (lcjeb2)
89	12/30/2021	Supplemental MOTION in Limine Regarding Authentication of Congressional Video and Other Evidence by USA as to AARON MOSTOFSKY. Attachments: <ol style="list-style-type: none"> 1 Exhibit 1 - U.S. Constitution, Article II, Section 1 2 Exhibit 2 - U.S. Constitution, Twelfth Amendment 3 Exhibit 3 - 3 U.S.C. 15 4 Exhibit 4 - 3 U.S.C. 16 5 Exhibit 5 - 3 U.S.C. 17 6 Exhibit 6 - U.S.C. 18 7 Exhibit 7 - Declaration of Diego Torres 8 Exhibit 8 - Declaration of Douglas Massengale
90	01/13/2022	Unopposed MOTION for Extension of Time to File Response/Reply as to 89 Supplemental MOTION in Limine Regarding Authentication of Congressional Video and Other Evidence, 84 MOTION in Limine Regarding Authentication of Video Evidence, 83 MOTION in Limine to Preclude Certain Defense Arguments and Evidence, 82 MOTION in Limine Regarding Cross-Examination of U.S. Secret Service Witnesses by AARON MOSTOFSKY.
	01/13/2022	MINUTE ORDER granting 90 Motion for Extension of Time to File Response/Reply as to AARON MOSTOFSKY (1). So ORDERED, by Judge James E. Boasberg on 1/13/22. (Text entry; no document attached.)
	01/24/2022	MINUTE ORDER granting [91] Motion for Extension of Time to File Response/Reply as to AARON MOSTOFSKY (1). So ORDERED, by Judge James E. Boasberg on 1/24/2022. (Text entry; no document attached.)

91 01/24/2022 Unopposed MOTION for Extension of Time to File Response/Reply as to 89 Supplemental MOTION in Limine Regarding Authentication of Congressional Video and Other Evidence, 84 MOTION in Limine Regarding Authentication of Video Evidence, 83 MOTION in Limine to Preclude Certain Defense Arguments and Evidence, 82 MOTION in Limine Regarding Cross-Examination of U.S. Secret Service Witnesses by AARON MOSTOFSKY.

01/24/2022 MINUTE ORDER granting 91 Motion for Extension of Time to File Response/Reply as to AARON MOSTOFSKY (1). So ORDERED, by Judge James E. Boasberg on 1/24/2022. (Text entry; no document attached.)

01/31/2022 MINUTE ORDER as to AARON MOSTOFSKY : After discussions with the parties, the Court ORDERS a Plea Agreement Hearing is set for 2/2/2022 at 12:00 PM in Telephonic/VTC before Judge James E. Boasberg. So ORDERED, by Judge James E. Boasberg on 1/31/2022. (Text entry; no document attached.)

02/02/2022 Minute Entry for proceedings held before Judge James E. Boasberg: Video Plea Agreement Hearing as to AARON MOSTOFSKY (1) held on 2/2/2022. Defendant S Affirmed and a plea of GUILTY entered and accepted by AARON MOSTOFSKY (1) as to counts 1ss, 4ss, and 5ss. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to AARON MOSTOFSKY (1). Sentencing set for 5/6/2022 at 11:00 AM in Courtroom 25A- In Person before Judge James E. Boasberg. Bond Status of Defendant: remains n Personal Recognizance Bond (PR)/appeared via Zoom video; Court Reporter: Lisa Griffith; Defense Attorney: David Smith and Nicholas Smith; US Attorney: Graciela Lindberg and Michael Romano. (Text entry; no document attached.)

93 02/02/2022 PLEA AGREEMENT as to AARON MOSTOFSKY (1).

94 02/02/2022 STATEMENT OF OFFENSE by USA as to AARON MOSTOFSKY (1).

02/02/2022 Minute Entry for proceedings held before Judge James E. Boasberg: Video Plea Agreement Hearing as to AARON MOSTOFSKY (1) held on 2/2/2022. Defendant S Affirmed and a plea of GUILTY entered and accepted by AARON MOSTOFSKY (1) as to counts 1ss, 4ss, and 5ss. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to

AARON MOSTOFSKY (1). Sentencing set for 5/6/2022
at 11:00 AM in Courtroom 25A- In Person before Judge
James E. Boasberg. Bond Status of Defendant: remains n
Personal Recognizance Bond (PR)/appeared via Zoom
video; Court Reporter: Lisa Griffith; Defense Attorney: David
Smith and Nicholas Smith; US Attorney: Graciela Lindberg
and Michael Romano. (Text entry; no document attached.)

95 02/15/2022 NOTICE REGARDING STATUS OF DISCOVERY by USA as
to AARON MOSTOFSKY
