

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA :
 :
 v. : **Case No. 21-cr-53 (CJN)**
 :
 EDWARD JACOB LANG, :
 :
 Defendant. :

NOTICE OF FILING PROPOSED SCHEDULING ORDER

The United States of America, through undersigned counsel, respectfully submits the attached proposed scheduling order pursuant to the Court's Minute Order dated May 5, 2023. Counsel for the parties met and conferred on May 12, 2023, and counsel for the defendant and the United States have agreed to the dates proposed subject to this Court's approval.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

By: s/Karen Rochlin
Karen Rochlin
Assistant United States Attorney Detailee
DC Bar No. 394447
99 N.E. 4th Street
Miami, Florida 33132
(786) 972-9045
Karen.Rochlin@usdoj.gov

By: s/Craig Estes
Craig Estes
Assistant United States Attorney Detailee
MA BBO No. 670370
1 Courthouse Way
Boston, MA 02210
(617) 748-3605
Craig.Estes@usdoj.gov

EDWARD JACOB LANG

By: s/Steven Metcalf
Steven A. Metcalf II, Esq.
Metcalf & Metcalf, P.C.
99 Park Avenue
6th Floor
New York, NY 10016
(646) 253-0514
fedcases@metcalflawnyc.com

By: s/Norman A. Pattis
Norman A. Pattis, Esq.
Pattis & Smith, LLC
383 Orange Street
1st Floor
New Haven, CT 06511
(203) 393-3017
npattis@pattisandsmith.com

does not file his motion for hybrid representation by **June 26, 2023**, the government reserves the right to file a motion to preclude hybrid representation by **July 10, 2023**.

5. The parties shall make disclosures regarding any expert witnesses to be called in their case-in-chief by **July 17, 2023**. The parties shall make disclosures regarding any rebuttal expert witnesses by **July 31, 2023**.
6. The parties shall also file with the Court no later than **August 11, 2023**:
 - a. A neutral statement of the case. The Parties shall include a neutral statement of the case for the Court to read to prospective jurors.
 - b. Proposed voir dire questions. The Parties shall indicate:
 - i. The *voir dire* questions on which the Parties agree; and
 - ii. The *voir dire* questions on which the Parties disagree, with specific objections noted below each disputed question.
 - c. Proposed jury instructions. The Parties shall submit a list of proposed jury instructions, followed by the text of each proposed instruction, that indicates:
 - i. the instructions on which the parties agree, and
 - ii. the instructions on which the parties disagree, with specific objections noted below each disputed instruction; and the proposed instruction's source, or, for modified or new instructions, supporting legal authority. Proposed instructions may be updated as needed to reflect the evidence presented at trial. Absent a showing of good cause, no other modifications will be permitted.
 - d. List of witnesses. The Parties shall identify the witnesses that each side anticipates it may call in its case-in-chief, including any expert witnesses, divided into the following categories:

- i. witnesses who will be called to testify at trial;
 - ii. witnesses who may be called to testify at trial; and
 - iii. witnesses whose testimony a party will present by deposition or other prior testimony, indicating whether the presentation will be by transcript or video.
- e. Exhibit lists. The Parties shall include a list of trial exhibits (including demonstratives, summaries, or other specially prepared exhibits), which includes:
- i. the exhibit number for each document;
 - ii. the date of the document;
 - iii. a brief description of the document;
 - iv. a concise statement of the asserted basis of admissibility; and
 - v. whether there is an objection to admission of the document, and if so, a concise statement of the basis for the objection.

This list, together with numbered pre-marked copies of the exhibits, should be submitted to the Court in a separate binder.

- f. Stipulations. The Parties shall submit a draft of all Stipulations.
- g. Proposed verdict form. The Parties shall include a draft verdict form, including any proposed special interrogatories. The draft verdict form should include a date and signature line for the jury foreperson.
7. The Parties will file any *Daubert* motions on or before **August 24, 2023**. Oppositions to *Daubert* motions shall be filed by **September 1, 2023**. Any reply shall be filed by **September 8, 2023**.
8. The United States should endeavor to make grand jury and Jencks Act disclosures as to each witness it expects to call in its case-in-chief **10** days before commencement of trial. Any *Brady* material not already disclosed must be disclosed by this date.

9. The Court will schedule hearings on any motions filed by the Parties as necessary.
10. Counsel shall appear on **October 3, 2023**, at 10 a.m. for a pretrial conference in Courtroom 19. The Parties must submit to chambers a printed copy of the joint statement of the case tabbed and in a three-ring binder. The parties must submit an electronic copy of all proposed *voir dire* questions, jury instructions, and verdict forms in Word format by emailing them to Chambers at Nichols_Chambers@dcd.uscourts.gov. The jury instructions section must be formatted so that each individual jury instruction begins on a new page.

Failure to comply with this Order will be deemed a waiver of all objections to matters covered by this Order.

DATE: _____

CARL J. NICHOLS
United States District Judge