

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

UNITED STATES,

v.

EDWARD JACOB LANG,

*Defendant.*

Criminal Action No. 1:21-cr-00053 (CJN)

**REVISED SCHEDULING ORDER**

Trial is set to commence in this matter on **October 10, 2023**, at 9:00 a.m. in Courtroom 19. Jury selection will begin that day at 9:00 a.m. Jury selection and the trial will be conducted in accordance with Appendix 8 of the Continuity of Operations Plan for COVID-19, assuming it is still in effect. The following deadlines shall govern pretrial proceedings:

1. The Defendant shall disclose whether it will file a motion under 18 U.S.C. § 4241 by **June 5, 2023**.
2. The Defendant shall produce any reciprocal discovery not already disclosed by **June 12, 2023**.
3. The Defendant shall respond to any motions or responses previously filed by the government to which he has not already filed a response or a reply by **June 26, 2023**.
4. The Defendant shall file any motion to proceed by means of hybrid representation by **June 26, 2023**. The government's opposition will be due on **July 10, 2023**, and any reply will be due on **July 17, 2023**. In the event that the Defendant does not file his motion for hybrid representation by **June 26, 2023**, the government shall file any motion to preclude hybrid representation by **July 10, 2023**.

5. Before filing a motion, the Parties shall meet and confer to discuss whether any issues presented by the motion can be resolved by agreement of the Parties.
6. 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**.
7. The Parties shall also file with the Court no later than **August 11, 2023**, a Joint Pretrial Statement that contains:
  - 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 that the Parties agree to; and
    - ii. the *voir dire* questions that the Parties disagree on, with specific objections noted as to 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 that the Parties agree to; and
    - ii. the instructions that the Parties disagree on, with specific objections noted below each disputed instruction, and the proposed instruction's source including 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.

The Court will read the list of witnesses to the jury during *voir dire*. In the list, each witness name should be accompanied by a brief description of each witness's expected testimony and area of expertise, if applicable, followed by specific objections, if any, to each witness.


- 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 exhibit;
  - ii. the date of the exhibit;
  - iii. a brief description of the exhibit;
  - iv. a concise statement of the asserted basis of admissibility; and
  - v. whether there is an objection to admission of the exhibit, 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.
8. In addition to filing the Joint Pretrial Statement, no later than **August 11, 2023**, the Parties must submit a printed copy of the Joint Pretrial Statement tabbed and in a three-ring binder. The parties must also 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.
9. The Parties shall 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**.
10. 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 by **September 29, 2023**. Any *Brady* material not already disclosed also must be disclosed by this date.
11. The Court will schedule hearings on any motions filed by the Parties as necessary.
12. Counsel shall appear on **October 3, 2023**, at 4:00 p.m. for a pretrial conference in Courtroom 19.

It is so **ORDERED**.

DATE: May 22, 2023

  
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CARL J. NICHOLS  
United States District Judge