

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

<b>UNITED STATES OF AMERICA</b>	:	
	:	<b>CASE NO. 21-cr-46 (RDM)</b>
<b>v.</b>	:	
	:	
<b>PATRICK MONTGOMERY,</b>	:	
<b>BRADY KNOWLTON, and</b>	:	
<b>GARY WILSON,</b>	:	
	:	
<b>Defendants.</b>	:	

**GOVERNMENT’S RESPONSE TO COURT ORDER RE: MOTION FOR EXTENSION  
OF TIME (ECF NO. 118)**

The United States of America, by and through the United States Attorney for the District of Columbia, pursuant to the Court’s Minute Order dated October 11, 2022, respectfully defers to the Court concerning deadlines for motions and notes that: defendant Wilson was added as a co-defendant on August 19, 2022, ECF 115; defendant Knowlton initially filed a 12(b)(3) motion on June 18, 2021, ECF No. 39; and defendant Montgomery moved to adopt that motion on June 23, 2021, ECF 40. For reference, the United States attaches the September 14, 2022 message partially quoted at ECF 118:3 concerning the position on scheduling communicated to defense counsel. The government does not believe that it is necessary to set a “grand jury and Jencks Act” disclosure deadline at this time.

Respectfully submitted,

Matthew M. Graves  
United States Attorney  
D.C. Bar No. 481052

By:

/s/ James D. Peterson  
James D. Peterson  
Special Assistant United States Attorney

Bar No. VA 35373  
United States Department of Justice  
1331 F Street N.W. 6th Floor  
Washington, D.C. 20530  
Desk: (202) 353-0796  
Mobile: (202) 230-0693  
[James.d.peterson@usdoj.gov](mailto:James.d.peterson@usdoj.gov)

*/s/ Karen Rochlin*  
KAREN ROCHLIN  
DC Bar No. 394447  
Assistant United States Attorney Detailee  
U.S. Attorney's Office  
Southern District of Florida  
99 N.E. 4th Street  
Miami, Florida 33132  
(786) 972-9045  
[Karen.Rochlin@usdoj.gov](mailto:Karen.Rochlin@usdoj.gov)

Exhibit A

**Peterson, James D (CRM)**

---

**From:** Rochlin, Karen (USADC)  
**Sent:** Wednesday, September 14, 2022 1:08 PM  
**To:** Duncan Levin; Peterson, James D (CRM)  
**Cc:** Brent Mayr; Ronald Sullivan; pcooper\_petercooperlaw.com  
**Subject:** RE: [EXTERNAL] United States v. Knowlton, Montgomery, and Wilson

Good afternoon, Duncan,

Jim and I were able to regroup, and it seems to us that Judge Moss set the schedule in his August 26 minute order that he wanted to set. We interpret the October 12 deadline as one that applies to Rule 12(b)(3) motions; *see* ECF 112. At least one case-dispositive motion has already been filed and addressed, *see* ECF 87, so it doesn't seem out of order for the Judge to want an early resolution of pretrial issues where possible, and we are not inclined to seek revision of the schedule for dispositive motions. The government's global discovery productions are not necessarily applicable to this particular case (or may include reproductions of material already provided to you in this case), and it therefore seems unlikely that global productions will show defects in the indictment or the initiation of the prosecution or other listed grounds for 12(b)(3) motions. Having said that, we are happy to work with you and co-counsel if you need more time for a specific motion, but a case-by-case approach would seem to make more sense in that context. If unforeseen circumstances arise with implications for a 12(b)(3) motion, we are also happy to discuss those circumstances also.

Regards,

Karen Rochlin

---

**From:** Duncan Levin <dlevin@levinpllc.com>  
**Sent:** Tuesday, September 13, 2022 4:35 PM  
**To:** Peterson, James D (CRM) <James.D.Peterson@usdoj.gov>  
**Cc:** Brent Mayr <bmayr@mayr-law.com>; Ronald Sullivan <rsullivan@ronaldsullivanlaw.com>; Rochlin, Karen (USADC) <KRochlin@usa.doj.gov>; pcooper\_petercooperlaw.com <pcooper@petercooperlaw.com>  
**Subject:** Re: [EXTERNAL] United States v. Knowlton, Montgomery, and Wilson

Hi Jim - Could you please let us know your thoughts on the below? Many thanks - Duncan

Duncan Levin, Esq.  
Levin & Associates, PLLC  
44 Court Street, Suite 905  
Brooklyn, New York 11201  
(o): 212-330-7626  
[dlevin@levinpllc.com](mailto:dlevin@levinpllc.com)  
[www.levinpllc.com](http://www.levinpllc.com)

The information contained in this message may be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer. Thank you. Levin & Associates, PLLC.

On Fri, Sep 9, 2022 at 10:10 AM Peterson, James D (CRM) <[James.D.Peterson@usdoj.gov](mailto:James.D.Peterson@usdoj.gov)> wrote:

Let me check and get back you.

Thanks and take care,

Jim

---

**From:** Duncan Levin <[dlevin@levinpllc.com](mailto:dlevin@levinpllc.com)>  
**Sent:** Friday, September 9, 2022 10:06 AM  
**To:** Peterson, James D (CRM) <[James.D.Peterson@usdoj.gov](mailto:James.D.Peterson@usdoj.gov)>  
**Cc:** Brent Mayr <[bmayr@mayr-law.com](mailto:bmayr@mayr-law.com)>; Ronald Sullivan <[rsullivan@ronaldsullivanlaw.com](mailto:rsullivan@ronaldsullivanlaw.com)>; Rochlin, Karen (USADC) <[KRochlin@usa.doj.gov](mailto:KRochlin@usa.doj.gov)>; pcooper <[pcooper@petercooperlaw.com](mailto:pcooper@petercooperlaw.com)>  
**Subject:** [EXTERNAL] United States v. Knowlton, Montgomery, and Wilson

Thanks, Jim. As the trial has been postponed to April, it would seem to make most sense for all the parties to adjourn the motion schedule to closer to trial, particularly as more discovery is continuing to come out. Does the government have any objection to our making an application to the court to have motions closer to the trial date? I'm going to be out of the country from 3/15-3/31, so, if you are amenable, would you please suggest an updated motion schedule that would work for you? I have copied counsel for the co-defendants here as well. Many thanks. Best, Duncan

Duncan Levin, Esq.  
Levin & Associates, PLLC  
44 Court Street, Suite 905  
Brooklyn, New York 11201  
(o): 212-330-7626  
[dlevin@levinpllc.com](mailto:dlevin@levinpllc.com)  
[www.levinpllc.com](http://www.levinpllc.com)

The information contained in this message may be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer. Thank you. Levin & Associates, PLLC.

On Thu, Sep 8, 2022 at 5:20 PM Peterson, James D (CRM) <[James.D.Peterson@usdoj.gov](mailto:James.D.Peterson@usdoj.gov)> wrote: