

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Criminal No. 21-cr-40-TNM
	:	
PATRICK MCCAUGHEY, et al.	:	
	:	
Defendant.	:	Status Hearing: February 4, 2022

MOTION FOR PRETRIAL SCHEDULING ORDER

The United States of America respectfully moves the court to implement the attached proposed pre-trial scheduling order in the upcoming trials of *U.S. v. Patrick McCaughey*, 21-cr-40-TNM, et al. Trial for “Group 1” in this nine-codefendant case, including defendant Patrick McCaughey, Tristan Stevens, Robert Morss, and David Mehaffie, is scheduled to begin on August 29, 2022, and is expected to last approximately three weeks. Trial for “Group 2,” including defendants David Judd, Christopher Quaglin, Geoffrey Sills, Steven Cappuccio, and Federico Klein, is scheduled to begin on October 3, 2022. Pursuant to Federal Rule of Criminal Procedure 12(c), the court may “set a deadline for the parties to make pretrial motions...If the court does not set one, the deadline is the start of trial.”

The United States proposes the deadlines in the attached order as dates which will provide an orderly structure in which the parties may raise and respond to pre-trial issues, while also allowing the court time to resolve each issue well in advance of the trial dates. These proposed deadlines also allow the parties ample time for responses, as well as time for many pre-trial issues to be fully litigated and resolved sufficiently in advance of trial to allow the parties time to craft effective trial strategies that incorporate the court’s rulings. The proposed deadlines also take account of the fact that each pre-trial issue may be multiplied by nine, which may be most efficiently addressed by omnibus responses and rulings.

In addition to establishing a fulsome schedule for all pre-trial motions and a Joint Pretrial Statement to be filed, the United States also seeks an order that the court stay any response to the severance motions filed by defendants David Judd (ECF No. 206) and Steven Cappuccio (ECF No. 207) until April 1, 2022. This proposed response deadline will provide time for the remaining seven defendants to file any motion to sever, if appropriate, and for the court to consider any severance motions globally rather than piecemeal. This deadline will not prejudice either Mr. Judd or Mr. Cappuccio, as an April 1, 2022 response deadline is still more than six months before both defendants are scheduled for trial.

The deadlines proposed in the attached order are reasonable and will allow the court to conserve judicial resources by considering similar types of motions globally where issues for individual defendants overlap. It will also allow for the orderly and timely resolution of pretrial issues, while providing the parties with sufficient time to prepare for trial in light of any court rulings. As such, the United States asks that the court implement the following proposed order.

Respectfully submitted,

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