

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

<b>UNITED STATES OF AMERICA</b>	:	
	:	
v.	:	<b>Case No. 21-cr-34 (CRC)</b>
	:	
	:	
<b>THOMAS ROBERTSON AND, JACOB FRACKER</b>	:	
	:	
<b>Defendants.</b>	:	
	:	

**UNOPPOSED MOTION FOR AN ORDER TO DISCLOSE GRAND JURY MATERIALS**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully moves for entry by this Court of an order permitting the disclosure of certain records obtained pursuant to Grand Jury subpoenas to the defendants, Thomas Robertson, and Jacob Fracker, and their counsel. The United States has consulted with defense counsel and they consent to this request.

The government seeks a court order permitting the disclosure of records obtained pursuant to Grand Jury subpoenas in so far as such disclosure is necessary for the government to comply with its discovery obligations. Under Federal Rule of Criminal Procedure 6(e)(3)(E)(i): “The court may authorize disclosure—at a time, in a manner, and subject to any other conditions that it directs—of a grand-jury matter: (i) preliminarily to or in connection with a judicial proceeding.” Rule 6(e)(3)(F) provides certain requirements for a petition under Rule 6(e)(3)(E)(i), including that the petition be filed in the district where the grand jury convened and that the court “must afford a reasonable opportunity to appear and be heard to: (i) an attorney for the government; (ii) the parties to the judicial proceeding; and (iii) any other person whom the court may designate.”

The government submits that the requirements of Rule 6(e)(3)(F) are satisfied by this motion. The government further submits that such an order is appropriate because some grand jury testimony in this case constitutes material to which the defendants are entitled as part of their discovery.

Accordingly, the government respectfully requests an order authorizing the disclosure of grand jury testimony to the defendants and their counsel. *See* Rule 6(e)(3)(E)(i).

Respectfully submitted,

CHANNING D. PHILLIPS  
Acting United States Attorney  
D.C. Bar No. 415793

By: /s/Elizabeth Aloi  
Elizabeth Aloi, N.Y. Bar No. 4457651  
Assistant United States Attorney  
555 4th Street, N.W.  
Washington, D.C. 20530  
Tel: (202) 252-7212  
Fax: (202) 514-6010  
Elizabeth.Aloi@usdoj.gov

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**Defendants.**

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**Case No. 21-cr-34 (CRC)**

**ORDER GRANTING LEAVE TO DISCLOSE GRAND JURY MATERIALS**

Having received the government’s Unopposed Motion For an Order to Disclose Grand Jury Materials, in which the government seeks leave from the Court to provide the defense with copies of certain records obtained pursuant to Grand Jury subpoenas, in so far as such disclosure is necessary for the government to comply with its discovery obligations, IT IS HEREBY ORDERED THAT:

Pursuant to Federal Rule of Criminal Procedure 6(e)(3), the Court authorizes the government to disclose transcripts and other materials relating to the testimony of witnesses before the grand jury that returned the indictment in the instant case.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2021.

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UNITED STATES DISTRICT COURT