

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

[1] PHILIP C. VOGEL, II,
[2] DEBRA J. MAIMONE,

Defendants.

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Case No. 21-CR-289 (RDM)

**JOINT STATUS REPORT AND UNOPPOSED MOTION TO
EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America, through counsel, and defendants Philip C. Vogel and Debra J. Maimone, through counsel, hereby submit their July 22, 2022, Joint Status Report pursuant to the Court's May 23, 2022, Minute Entry and state as follows:

1. The defendants in this case are charged by a five-count Information with violations of 18 U.S.C. §§ 641 and 2 (Aiding and Abetting the Theft of Property—\$1,000 or Less); 18 U.S.C. § 1752(a)(1) (Entering and Remaining in a Restricted Building); 18 U.S.C. § 1752(a)(2) (Disorderly and Disruptive Conduct in a Restricted Building); 40 U.S.C. § 5104(e)(2)(D) (Violent Entry and Disorderly Conduct in a Capitol Building); 40 U.S.C. § 5104(e)(2)(G) (Parading, Demonstrating, or Picketing in a Capitol Building)

2. The Government has provided defendants with the full FBI case file of this case for each of their cases. The Government has also provided defense counsel with access to a tour of the crime scene, which has been directed by the United States Capitol Police. Defense counsel has received the discovery and are in the process of reviewing it personally and with their respective clients. At present, there are no discovery disputes that require the intervention of the Court.

3. The government will be making a formal plea offer shortly. Defense counsel have indicated that they will need a period to review the offer both individually and with their clients and propose any counteroffer as befits the situation. If defendants accept the offer, the parties will additionally need time to negotiate a Statement of Offense that adequately reflects the defendants' conduct and meets the elements of any offense to which they are pleading guilty.

4. The parties remain engaged in good faith negotiations with the view towards a pretrial resolution. **The parties propose to allow the parties to file a subsequent joint status report approximately sixty days from today, specifically Tuesday, September 20, 2022, or thereabouts.** The parties expect to discuss in the next status report defense counsels' review of discovery and discussion of proposed next steps.

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5. Consistent with the attached proposed Order, the government requests, and the defendants through their counsel consent to the Court excluding all time between today and the next status report from calculation under the Speedy Trial Act.

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