

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	
ETHAN NORDEAN	:	
JOSEPH BIGGS	:	Criminal No. 21-CR-0175 (TJK)
ZACHARY REHL	:	
CHARLES DONOHOE	:	
ENRIQUE TARRIO	:	
DOMINIC PEZZOLA	:	

**MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE
REPORT AND RECOMMENDATION AND INCORPORATED
MEMORANDUM OF SUPPORTING POINTS**

Undersigned counsel respectfully moves this Honorable Court for an extension of time, up to and including September 2, 2022, within which to file the Report and Recommendation. There are three reasons an extension is necessary, *i.e.*, difficulty interviewing one of the two co-defendants at issue, issues with undersigned counsel's ability to reference one co-defendant's testimony in a relevant proceeding before a different forum, and undersigned counsel's contraction of Covid and a host of resulting symptoms that have severely adversely affected her ability to continue working on the draft of the report and recommendation she already has started. A separate reason, *i.e.*, her many deadlines in July and August 2022, forms the basis for undersigned counsel requesting September 2, 2022, as the new due date.

As grounds for this motion, undersigned counsel states:

1. Through a Minute Order on March 25, 2022, this Court appointed undersigned counsel to prepare a Report and Recommendation regarding whether John Daniel Hull's representation of Joseph R. Biggs in the above-captioned case and of Enrique Tarrío in other matters creates any conflict of interest and, if so, whether Messrs. Biggs and Tarrío can waive any conflict(s) that may

exist.

2. On April 13, 2022, the Court entered a Minute Order accepting undersigned counsel's proposed deadline of June 30, 2022, (Doc. No. 332) for filing that Report and Recommendation.

3. Although undersigned counsel has conducted a number of interviews of relevant parties, reviewed several documents, researched the applicable law, and started drafting the Report and Recommendation, three impediments to her meeting the June 30 deadline have arisen:

- a) Difficulty in being able to interview one of the two co-defendants at issue;
- b) Issues regarding undersigned counsel's ability to reference in her Report and Recommendation the testimony of one of the co-defendants in a different forum but on issues relevant to the conflict issue with she has been tasked; and
- c) Undersigned counsel's recent incapacitation due to contracting Covid.

4. Given that the trial date in the above-captioned matter has now been continued to December 12, 2022, and based upon undersigned counsel's numerous deadlines in other matters during July and August, 2022, undersigned counsel respectfully requests an extension of the due date for her Report and Recommendation to September 2, 2022, in the hope that by then the various issues that have been impediments to her meeting the June 30 deadline will have been resolved.

WHEREFORE for all the foregoing reasons, and any others this Court may deem just and proper, undersigned counsel, respectfully requests that this Motion be granted and that she be permitted to file her Report and Recommendation on or before September 2, 2022.

Dated: June 22, 2022

Respectfully submitted,

s/Santha Sonenberg

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ORDER

This matter having come before the Court on Motion For Extension of Time Within Which To File Report an Recommendation and the Incorporated Memorandum of Supporting Points, and good cause having been shown, it is this ____ day of June, 2022, **HEREBY ORDERED** that the Motion is granted and Ms. Sonenberg may have an extension of time, up to and including September 2, 2022, within which to file her Report and Recommendation.

Timothy J. Kelly
United States District Court Judge