

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

UNITED STATES OF AMERICA,

v.

Case No. 1:21-cr-175-TJK

JOSEPH BIGGS, et al.,

Defendants.

**BIGGS'S MOTION TO JOIN NORDEAN AND TARRIO MOTIONS RE:
GOVERNMENT EXHIBITS AND TO JOIN NORDEAN OPPOSITION TO
GOVERNMENT MOTION TO ADMIT CO-CONSPIRATOR STATEMENTS**

Defendant Joseph Biggs respectfully moves to join the following three defense motions and one defense opposition which will be argued before the Court on November 14, 2022:

1. Nordean Motion to Exclude Proposed Government Exhibits (ECF 489) in its entirety.
2. Tarrio Motion to Exclude Proposed Government Exhibits (ECF 491) on all arguments set forth in the Tarrio motion except for the arguments at sections 4 and 7.
3. Nordean Opposition to Government Motion in Limine to Admit Co-Conspirator Statements (ECF 499) and related Motion to Direct Government to Identify Statements It Intends to Move into Evidence.

Biggs is faced with identical or similar evidentiary issues to those presented in the Nordean-Tarrio motions (ECF 489, ECF 491) to exclude government exhibits. The ever-expanding, often crowd-related evidence in January 6 cases is shot through with dangers of unfair prejudice, confusion of the issues, cumulative evidence and misleading the jury under Fed. R. Evid. 403. Nordean's Opposition (ECF 499) to the government motion to admit co-conspirator statements is coupled with an alternative motion that the government at a minimum be directed required to identify the statements it intends to introduce into evidence. Biggs asks to join in these, too.

In the interest of efficiency, Biggs has presented this Motion for joinder to make the joinder request specific to the issues the Court will hear on November 14; however, this Motion

can be split into several separate motions instead and refiled if the Court so directs.

Therefore, and for good cause shown, defendant Biggs asks that he be permitted to join the above-mentioned defense motions and opposition related to the November 14, 2022 hearing.

Respectfully submitted,

COUNSEL FOR JOSEPH R. BIGGS

Dated: November 10, 2022

By: /s/ J. Daniel Hull
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CERTIFICATE OF SERVICE

The undersigned certifies that on November 10, 2022, the foregoing Motion to Join was served upon all counsel of record via the Electronic Case Filing (ECF) system.

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