

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

UNITED STATES OF AMERICA,

v.

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

ETHAN NORDEAN, et al.,

Defendants.

MOTION TO JOIN FILING AT ECF 809 OR ALERNATIVELY FOR CLARIFICATION

Defendant Joseph Biggs (“Biggs”) and the undersigned respectfully move the Court: (A) to grant the relief requested on May 31, 2023 at ECF 809 by the Lawyers’ Committee for Civil Rights under Law (“Committee”) or, in the alternative, (B) to set forth what next steps need to be taken to release the admitted trial exhibits the Committee seeks in ECF 809. Biggs also ‘joins’ in the Committee’s application at ECF 809, made under LCrR 57.6 and Standing Order No. 21-28, in its procedural aspects alone. In addition to appearing as defense counsel in the instant criminal case, the undersigned since 2021 has also represented—and for the time being still represents—Biggs in two civil rights proceedings under 42 U.S.C. § 1985 which sound in conspiracy before Judge Mehta in cases docketed at 21cv2265 and 21cv3267. Discovery for documents and for information that can be easily derived from documents has begun in earnest in these two civil cases; however, confidentiality agreements in place for the instant criminal proceeding (21cr175) appear still to prohibit release of documents, digital materials and other data that might otherwise be discoverable in the civil proceedings. On May 31, however, the Committee filed the following:

5/31/2023	809	Application For Access To Trial Exhibits by LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA. "Leave to file GRANTED" by Judge Timothy J. Kelly on 5/31/2023. (Attachments: # 1 Text of Proposed Order) (zltf) (Entered: 06/02/2023)
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The undersigned understands that the application has not been acted upon other than the Court's notation "Leave to File Granted" on the day the application was filed. Therefore, the Court is asked to grant the relief requested in ECF 809 or, in the alternative, set out what further needs to be done to release the admitted trial exhibits.

Accordingly, and for good cause shown, defendant Biggs and undersigned counsel request that both this motion to join and the relief requested be granted.

Respectfully submitted,

Dated: October 5, 2023

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

The undersigned certifies that on October 5, 2023, the foregoing Motion to Join was served upon all counsel of record via the Electronic Case Filing (ECF) system.

By: /s/ J. Daniel Hull
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