

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00052-TJK-1

Case title: USA v. PEZZOLA et al

Date Filed: 01/29/2021

Magistrate judge case number: 1:21-mj-00047-ZMF

Assigned to: Judge Timothy J. Kelly

Defendant (1)

DOMINIC J. PEZZOLA

also known as

SPAZ

also known as

SPAZZO

also known as

SPAZZOLINI

represented by **Jonathan Seth Zucker**

LAW OFFICES OF JONATHAN ZUCKER

37 Florida Avenue, NE

Suite 200

Washington, DC 20002

(202) 624-0784

Fax: (202) 609-9653

Email: jonathanzuckerlaw@gmail.com

TERMINATED: 04/16/2021

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Michael Scibetta

MICHAEL P. SCIBETTA, ESQ.

30 W. Broad Street

Suite 501

Rochester, NY 14614

585-232-2770

Fax: 585-232-2803

Email: mike@scibettalawoffice.com

TERMINATED: 02/03/2021

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Steven Alan Metcalf, II

METCALF & METCALF, P.C.

99 Park Avenue

6th Floor

New York, NY 10016

646-253-0514

Fax: 646-219-2012

Email: metcalflawnyc@gmail.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Kira Anne West

LAW OFFICE OF KIRA WEST

712 H St, NE

Unit 509

Washington, DC 20002

202-236-2042

Email: kiraannewest@gmail.com

TERMINATED: 02/01/2021

ATTORNEY TO BE NOTICED

Martin Harold Tankleff

METCALF AND METCALF

99 Park Avenue

Suite 2501

Manhattan, NY 10016

646-385-4403

Fax: 646-619-4807

Email: martytankleff@gmail.com

ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

18:371 and 231(a)(3); CONSPIRACY TO DEFRAUD THE UNITED STATES;

Conspiracy

(1)

18 U.S.C. 371, 1512(c)(2), and 231(a)(3); CONSPIRACY TO DEFRAUD THE

UNITED STATES; Conspiracy

(1s)

18:231(a)(3) and (2); CIVIL DISORDER; Civil Disorder

(2)

18 U.S.C. 1512(c)(2), 2; TAMPERING WITH A WITNESS, VICTIM OR

INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting

(2s)

18:231(a)(3); CIVIL DISORDER; Civil Disorder

(3)

18 U.S.C. 231(a)(3), 2; CIVIL DISORDER; Obstruction of Law Enforcement

During Civil Disorder and Aiding and Abetting

(3s)

18:2112; MARITIME - BURGLARY; Robbery of Personal Property of the United

States

(4)

Disposition

18 U.S.C. 2112; MARITIME - BURGLARY; Robbery of Personal Property of the United States (4s)
18:111(a)(1); ASSAULTING/RESISTING/IMPEDING OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers (5)
18 U.S.C. 111(a)(1); ASSAULTING/RESISTING/IMPEDING OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers (5s)
18:1361; GOVERNMENT PROPERTY OR CONTRACTS; Destruction of Government Property (6)
18 U.S.C. 1361, 2; GOVERNMENT PROPERTY OR CONTRACTS >; Destruction of Government Property and Aiding and Abetting (6s)
18:1512(c)(2); TAMPER W/WITNESS, VICTIM, INFORMANT (IF DEATH RESULTS); Obstruction of an Official Proceeding (7)
18 U.S.C. 1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds (7s)
18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Restricted Buildings or Grounds (8)
18 U.S.C. 1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly Conduct in a Restricted Building or Grounds (8s)
18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Buildings or Grounds (9)
18 U.S.C. 1752(a)(4), 2; TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly Conduct in a Restricted Building or Grounds and Aiding and Abetting (9s)
18:1752(a)(4); TEMPORARY RESIDENCE OF THE PRESIDENT; Engaging in Physical Violence in a Restricted Buildings or Grounds (10)
18 U.S.C. 231(a)(3), 2; CIVIL DISORDER; Obstruction of Law Enforcement during a Civil Disorder and Aiding and Abetting (10s)
18:231(a)(3) and 2; CIVIL DISORDER; Civil Disorder (11)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in Violation of 18:1512(c)(2); 18:1361 and 18:1752(a)

Disposition

Disposition

Movant

PRESS COALITION

represented by **Charles D. Tobin**
BALLARD SPAHR LLP
1909 K Street, NW
12th Floor
Washington, DC 20006
202-661-2218
Fax: 202-661-2299
Email: tobinc@ballardspahr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Lauren Russell
BALLARD SPAHR LLP
1909 K Street, NW
12th Floor
Washington, DC 20006
202-661-2200
Fax: 202-661-2299
Email: russelll@ballardspahr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Maxwell S. Mishkin
BALLARD SPAHR LLP
1909 K Street, NW
12th Floor
Washington, DC 20006
(202) 508-1140
Fax: (202) 661-2299
Email: mishkinm@ballardspahr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff
USA

represented by **Christopher Berridge**
 U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
 555 4th Street NW
 Washington, DC 20001
 (202) 252-6685
 Email: christopher.berridge@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
 Designation: Assistant U.S. Attorney

Erik Michael Kenerson
 U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
 555 Fourth Street, NW
 Suite 11-449
 Washington, DC 20530
 (202) 252-7201
 Email: erik.kenerson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
 Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
01/13/2021	1	SEALED COMPLAINT as to DOMINIC PEZZOLA (1). (Attachments: # 1 REDACTED Affidavit in Support) (zstd) Modified on 1/14/2021 (zstd). [1:21-mj-00047-ZMF] (Entered: 01/14/2021)
01/13/2021	3	MOTION to Seal Case by USA as to DOMINIC PEZZOLA. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00047-ZMF] (Entered: 01/14/2021)
01/13/2021	4	ORDER granting 3 Motion to Seal Case as to DOMINIC PEZZOLA (1). Signed by Magistrate Judge Zia M. Faruqui on 1/13/2021. (zstd) [1:21-mj-00047-ZMF] (Entered: 01/14/2021)
01/14/2021	5	MOTION to Modify Sealing Order by USA as to DOMINIC PEZZOLA. (Attachments: # 1 Text of Proposed Order)(ztp) [1:21-mj-00047-ZMF] (Entered: 01/15/2021)
01/15/2021	6	ORDER Granting 5 MOTION to Modify Sealing Order by USA as to DOMINIC PEZZOLA (1). Signed by Magistrate Judge G. Michael Harvey on 1/15/2021. (zpt) [1:21-mj-00047-ZMF] (Entered: 01/15/2021)
01/15/2021		Case unsealed as to DOMINIC PEZZOLA (bb) [1:21-mj-00047-ZMF] (Entered: 01/15/2021)
01/15/2021		Arrest of Defendant DOMINIC PEZZOLA (1) in the Western District of New York. (kk) (Entered: 02/14/2021)
01/16/2021	45	Rule 5(c)(3) Documents Received as to DOMINIC PEZZOLA from US District Court for the Western District of New York Case Number 21-MJ-4007 (bb) (Entered: 05/03/2021)
01/16/2021		Arrest of DOMINIC PEZZOLA in US District Court for the Western District of New York. (bb) (Entered: 05/03/2021)
01/21/2021	7	First MOTION for Leave to Appear Pro Hac Vice Michael P. Scibetta Fee Status: No Fee Paid. by DOMINIC PEZZOLA. (Attachments: # 1 Exhibit)(West, Kira) [1:21-mj-00047-ZMF] (Entered: 01/21/2021)
01/21/2021		Payment for 7 First MOTION for Leave to Appear Pro Hac Vice Michael P. Scibetta Fee Status: No Fee Paid. by DOMINIC PEZZOLA. (\$100; Receipt number ADCDC-8104738) (West, Kira) [1:21-mj-00047-ZMF] (Entered: 01/21/2021)
01/25/2021	8	ORDER Granting 7 Motion for Leave to Appear Pro Hac Vice Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 44.5(a). Click for Ins tructions as to DOMINIC PEZZOLA (1). Signed by Magistrate Judge G. Michael Harvey on 1/25/2021. (zpt) [1:21-mj-00047-ZMF] (Entered: 01/25/2021)
01/26/2021	9	NOTICE OF ATTORNEY APPEARANCE: Kira Anne West appearing for DOMINIC PEZZOLA for <i>Mike Scibetta, Lead Counsel</i> (West, Kira) [1:21-mj-00047-ZMF] (Entered: 01/26/2021)
01/27/2021		ORAL MOTION for Temporary Detention by USA as to DOMINIC PEZZOLA. (zpt) Modified date on 2/16/2021 (zpt). (Entered: 02/16/2021)
01/27/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance as to DOMINIC PEZZOLA (1) held on 1/27/2021. Oral Motion by the Government for Temporary Detention (3 Day Hold) as to DOMINIC PEZZOLA (1) Heard and Granted. Preliminary/Detention Hearing set for 2/1/2021 at 4:00 PM in Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant Committed/Commitment Issued; FTR Time Frame: CTRM 24 [3:08:59-3:18:14]; Defense Attorney: Michael Scibetta; US Attorney: Erik Kenerson; Pretrial Officer: John Copes; (zpt) (Entered: 02/16/2021)
01/27/2021		MINUTE ORDER as to DOMINIC PEZZOLA (1). As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings. Signed by Magistrate Judge G. Michael Harvey on 1/27/2021. (zpt) (Entered: 02/16/2021)
01/29/2021	10	MEMORANDUM in Support of Pretrial Detention by USA as to DOMINIC PEZZOLA (Kenerson, Erik) [1:21-mj-00047-ZMF] (Entered: 01/29/2021)
01/29/2021	12	INDICTMENT as to DOMINIC PEZZOLA (1) count(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, WILLIAM JOSEPH PEPE (2) count(s) 1, 2, 8, 9. (bb) (Entered: 02/01/2021)
01/31/2021	11	NOTICE OF ATTORNEY APPEARANCE: Michael Scibetta appearing for DOMINIC PEZZOLA (Scibetta, Michael) [1:21-mj-00047-ZMF] (Entered: 01/31/2021)
02/01/2021	38	Arrest Warrant, dated 1/13/2021, returned executed in the U.S. District Court for the District of Columbia on 2/1/2021 as to Defendant DOMINIC PEZZOLA (1). (kk) (zkk). (Entered: 02/14/2021)
02/01/2021		ORAL MOTION by Attorney Michael Scibetta to Withdraw as Counsel for Defendant DOMINIC PEZZOLA (1). (kk) (Entered: 02/14/2021)
02/01/2021		Minute Entry for Initial Appearance as to DOMINIC PEZZOLA (1) held by video before Magistrate Judge Robin M. Meriweather on 2/1/2021 : Oral Motion by Attorney Michael Scibetta to Withdraw as Counsel for Defendant DOMINIC PEZZOLA (1), heard and granted. The Court finds the defendant eligible for court appointed counsel. Attorney Scibetta will stay in the case until new counsel has entered an appearance. Status Hearing regarding Ascertainment of Counsel and Arraignment scheduled for 2/3/2021 at 1:00 PM before Magistrate Judge Robin M. Meriweather by VTC. A detention hearing will be set at a later date. Bond Status of Defendant: Defendant Held Without Bond. Defendant committed/commitment issued. Court Reporter: FTR Gold - Ctrm. 24A; FTR Time Frame: 4:55:52 - 5:16:23. Defense Attorneys: Michael Scibetta and David Bos; U.S. Attorney: Erik Kenerson; Pretrial Officer: Christine Schuck. (kk) Modified on 2/14/2021 (kk). (Entered: 02/14/2021)
02/03/2021		NOTICE OF HEARING as to DOMINIC PEZZOLA (1) and WILLIAM JOSEPH PEPE (2). VTC Arraignment set for 2/9/2021 at 9:30 AM before Judge Timothy J. Kelly. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to appear. (zkh) (Entered: 02/03/2021)
02/03/2021	14	NOTICE OF ATTORNEY APPEARANCE Christopher Berridge appearing for USA. (Berridge, Christopher) (Entered: 02/03/2021)
02/03/2021		Minute Entry for Status Hearing regarding Ascertainment of Counsel as to DOMINIC PEZZOLA (1) held by video before Magistrate Judge Robin M. Meriweather on 2/3/2021 : Case was also set for an arraignment, but the arraignment will be scheduled before Judge Kelly. Attorney Jonathan Zucker appointed from the Criminal Justice Act Panel to represent the defendant. Detention Hearing set for 2/10/2021 at 3:30 PM by VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant remains committed. Court Reporter: FTR Gold - Ctrm. 16; FTR Time Frame: 1:36:21 - 1:49:01. Defense Attorneys: Jonathan Zucker and Michael Scibetta (withdrawing); U.S. Attorney: Erik Kenerson; Pretrial Officer: Shay Holman. (kk) (Entered: 02/14/2021)
02/09/2021		MINUTE ORDER as to DOMINIC PEZZOLA (1), WILLIAM JOSEPH PEPE (2). Pursuant to the Due Process Protections Act, the Court hereby ORDERS that all government counsel shall review their disclosure obligations under <i>Brady v. Maryland</i> , 373 U.S. 83 (1963), and its progeny, as set forth in Local Criminal Rule 5.1, and comply with those provisions. The failure to comply could result in dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, continuances, Bar discipline, or any other remedy that is just under the circumstances. Signed by Judge Timothy J. Kelly on 02/09/2021. (lctjk3) (Entered: 02/09/2021)
02/09/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment as to DOMINIC PEZZOLA (1) as to Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 and as to WILLIAM JOSEPH PEPE (2) as to Counts 1, 2, 8, and 9 held on 2/9/2021. Both defendants appeared by video. Plea of NOT GUILTY entered by DOMINIC PEZZOLA (1) as to Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11. Plea of NOT GUILTY entered by WILLIAM JOSEPH PEPE (2) as to Counts 1, 2, 8, and 9. Speedy Trial Excludable (XT) started 2/9/2021 through 3/26/2021, in the interest of justice, as to BOTH defendants. VTC Status Conference set for 3/26/2021 at 10:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1 - Remains Committed, 2 -

		Remains on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorneys: 1 - Jonathan Zucker, 2 - Michelle M. Peterson; US Attorneys: Erik Michael Kenerson and Christopher Berridge. (zkh) (Entered: 02/09/2021)
02/10/2021	15	MOTION to Modify <i>Bond to Place on Conditional Release</i> by DOMINIC PEZZOLA. (Zucker, Jonathan) Modified event title on 2/10/2021 (znmw). (Entered: 02/10/2021)
02/10/2021		ORAL MOTION by USA to Commit Defendant DOMINIC PEZZOLA (1) to the Custody of the U.S. Attorney General. (kk) (Entered: 02/14/2021)
02/10/2021		Minute Entry for Detention Hearing as to DOMINIC PEZZOLA (1) held by video before Magistrate Judge Robin M. Meriweather on 2/10/2021 : Oral Motion by USA to Commit Defendant to the Custody of the U.S. Attorney General, heard and granted. Pretrial Detention Ordered. The defendant was arraigned before Judge Kelly. Status Hearing remains set before Judge Kelly on 3/26/2021 at 10:00 AM. Bond Status of Defendant: Defendant remains committed. Court Reporter: FTR Gold - Ctrm. 11; FTR Time Frames: 3:58:42 - 4:35:00 and 5:26:30 - 5:39:22. Defense Attorney: Jonathan Zucker; U.S. Attorney: Erik Kenerson; Pretrial Officer: Shay Holman. (kk) (Entered: 02/14/2021)
02/15/2021	17	Unopposed MOTION for Protective Order by USA as to DOMINIC PEZZOLA. (Attachments: # 1 Text of Proposed Order)(Kenerson, Erik) (Entered: 02/15/2021)
02/15/2021	18	ORDER OF DETENTION PENDING TRIAL - Defendant Held Without Bond as to DOMINIC PEZZOLA. Signed by Magistrate Judge Robin M. Meriweather on 2/15/2021. (zpt) (Entered: 02/16/2021)
02/18/2021	19	MOTION to Modify <i>Bond to Place the Defendant on Conditional Release Pending Trial</i> by DOMINIC PEZZOLA. (Attachments: # 1 Exhibit)(Zucker, Jonathan) (Entered: 02/18/2021)
02/21/2021		MINUTE ORDER granting 17 Motion for Protective Order as to DOMINIC PEZZOLA (1). Signed by Judge Timothy J. Kelly on 02/21/2021. (lctjk3) (Entered: 02/21/2021)
02/21/2021	20	PROTECTIVE ORDER as to DOMINIC PEZZOLA (1): See Order for details. Signed by Judge Timothy J. Kelly on 02/21/2021. (lctjk3) (Entered: 02/21/2021)
02/21/2021		MINUTE ORDER as to DOMINIC PEZZOLA (1): It is hereby ORDERED that the Government shall respond to Defendant DOMINIC PEZZOLA's (1) 19 Motion to Modify Bond by February 25, 2021. Signed by Judge Timothy J. Kelly on 02/21/2021. (lctjk3) Modified to correct order title on 2/22/2021 (zkh). (Entered: 02/21/2021)
02/22/2021		Set/Reset Deadlines as to DOMINIC PEZZOLA (1): Government Response due by 2/25/2021. (zkh) (Entered: 02/22/2021)
02/22/2021		MINUTE ORDER as to DOMINIC PEZZOLA (1): It is hereby ORDERED that the parties shall appear through videoconference on March 1, 2021, at 2:00 p.m. for a hearing on Defendant DOMINIC PEZZOLA's (1) 19 Motion to Modify Bond. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to participate. Signed by Judge Timothy J. Kelly on 02/22/2021. (lctjk3) Modified to correct order title on 2/22/2021 (zkh). (Entered: 02/22/2021)
02/22/2021		Set/Reset Hearings as to DOMINIC PEZZOLA (1): VTC Motion Hearing set for 3/1/2021 at 2:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 02/22/2021)
02/25/2021	21	Memorandum in Opposition by USA as to DOMINIC PEZZOLA re 19 MOTION to Modify <i>Bond to Place the Defendant on Conditional Release Pending Trial</i> (Kenerson, Erik) (Entered: 02/25/2021)
02/28/2021	22	REPLY TO OPPOSITION to Motion by DOMINIC PEZZOLA re 19 MOTION to Modify <i>Bond to Place the Defendant on Conditional Release Pending Trial</i> (Zucker, Jonathan) (Entered: 02/28/2021)
03/01/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Motion Hearing as to DOMINIC PEZZOLA (1) held on 3/1/2021 re 19 MOTION to Modify <i>Bond</i> . Defendant appeared by video. Oral argument heard and taken under advisement. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Jonathan Seth Zucker; US Attorneys: Erik Michael Kenerson and Christopher Berridge; Pretrial Officer: Christine Schuck. (zkh) (Entered: 03/01/2021)
03/09/2021	24	TRANSCRIPT OF MOTION HEARING in case as to DOMINIC PEZZOLA before Judge Timothy J. Kelly held on 3-1-21; Page Numbers: 1-55; Date of Issuance: 3-9-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov . Redaction Request due 3/30/2021. Redacted Transcript Deadline set for 4/9/2021. Release of Transcript Restriction set for 6/7/2021.(Miller, Timothy) (Entered: 03/09/2021)
03/16/2021		MINUTE ORDER as to DOMINIC PEZZOLA (1): Upon consideration of the factors set forth in <i>United States v. Hubbard</i> , 650 F.2d 293, 317-22 (D.C. Cir. 1980), it is hereby ORDERED that Defendant's 23 Sealed Motion for Leave to File Document Under Seal is GRANTED. The Clerk of Court is instructed that ECF No. 23 and its attachments shall remain under seal. Signed by Judge Timothy J. Kelly on 03/16/2021. (lctjk3) Modified to correct defendant number on 3/17/2021 (zkh). (Entered: 03/16/2021)
03/16/2021	25	MEMORANDUM OPINION as to DOMINIC PEZZOLA (1). Signed by Judge Timothy J. Kelly on 03/16/2021. (lctjk3) (Entered: 03/16/2021)
03/16/2021	26	DETENTION ORDER as to DOMINIC PEZZOLA (1). It is hereby ORDERED that Defendant's 19 Motion to Modify Bond to Place the Defendant on Conditional Release Pending Trial is DENIED. See Order for further details. Signed by Judge Timothy J. Kelly on 03/16/2021. (lctjk3) (Main Document 26 replaced on 3/17/2021) (zkh). (Entered: 03/16/2021)
03/24/2021	28	MOTION to Exclude <i>Time under the Speedy Trial Act</i> by USA as to DOMINIC PEZZOLA, WILLIAM JOSEPH PEPE. (Attachments: # 1 Text of Proposed Order)(Kenerson, Erik) (Entered: 03/24/2021)
03/24/2021	31	MOTION to Continue by USA as to DOMINIC PEZZOLA, WILLIAM JOSEPH PEPE. (See Docket Entry 28 to view document). (znmw) (Entered: 03/30/2021)
03/26/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to DOMINIC PEZZOLA (1) and WILLIAM JOSEPH PEPE (2) held on 3/26/2021. Both defendants appeared by video. For the reasons stated on the record, Government's 28 MOTION to Exclude <i>Time under the Speedy Trial Act</i> , is GRANTED. Speedy Trial Excludable (XT) started 3/26/2021 through 5/25/2021, in the interest of justice, as to BOTH defendants. Separate Joint Status Reports due by 4/26/2021. VTC Status Conference set for 5/25/2021 at 10:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorneys: 1-Jonathan Seth Zucker and Steven Metcalf, 2-John M. Pierce and Robert Lee Jenkins, Jr.; US Attorney: Erik Michael Kenerson. (zkh) (Entered: 03/26/2021)
04/13/2021	32	NOTICE OF ATTORNEY APPEARANCE: Martin Harold Tankleff appearing for DOMINIC PEZZOLA from <i>Metcalf & Metcalf</i> (Tankleff, Martin) (Entered: 04/13/2021)
04/14/2021	33	MOTION to Withdraw as Attorney by Jonathan Zucker. by DOMINIC PEZZOLA. (Zucker, Jonathan) (Entered: 04/14/2021)
04/16/2021		MINUTE ORDER as to DOMINIC PEZZOLA (1): The Court concludes that attorney Jonathan Zucker's motion to withdraw complies with the Local Rules, see LC rR 44.5(d), and that his withdrawal would not leave Defendant without representation. Accordingly, it is hereby ORDERED that Defendant's 33 Motion to Withdraw as Attorney is GRANTED. Attorney Jonathan Zucker may withdraw from his representation in this case. Signed by Judge Timothy J. Kelly on 04/16/2021. (lctjk3) (Entered: 04/16/2021)
04/16/2021	34	SUPERSEDING INDICTMENT as to DOMINIC PEZZOLA (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 10s, WILLIAM JOSEPH PEPE (2) count(s) 1s, 2s, 3s, 6s, 7s, 8s, 9s, MATTHEW GREENE (3) count(s) 1, 2, 3, 6, 7, 8, 9. (zltip) (Entered: 04/20/2021)
04/16/2021	36	MOTION to Seal Case by USA as to DOMINIC PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE. (Attachments: # 1 Text of Proposed Order)(zltip) (Entered: 04/20/2021)
04/16/2021	37	ORDER granting 36 Motion to Seal Case as to DOMINIC PEZZOLA (1), WILLIAM JOSEPH PEPE (2), MATTHEW GREENE (3). Signed by Magistrate Judge Robin M. Meriweather on 4/16/2021. (zltip) (Entered: 04/20/2021)
04/23/2021	39	MOTION for Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials by USA as to DOMINIC PEZZOLA, WILLIAM JOSEPH PEPE. (Attachments: # 1 Text of Proposed Order)(Kenerson, Erik) Modified relief on 4/30/2021 (znmw). (Entered: 04/23/2021)
04/26/2021	41	STATUS REPORT by USA as to DOMINIC PEZZOLA (Kenerson, Erik) Modified event title on 6/3/2021 (znmw). (Entered: 04/26/2021)
04/26/2021	42	ORDER as to DOMINIC PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3) granting 39 Motion for Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials. See Order for details. Signed by Judge Timothy J. Kelly on 04/26/2021. (lctjk3) (Entered: 04/26/2021)
04/30/2021	44	LEAVE TO FILE DENIED- Verified Petition for redress of grievance as to DOMINIC PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE This document is unavailable as the Court denied its filing. "Leave to file DENIED; The caption case is a criminal case and this individual has no right to file a document in that matter.". Signed by Judge Timothy J. Kelly on 4/30/2021. (zltip) (Entered: 04/30/2021)
05/25/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment/Status Conference as to DOMINIC PEZZOLA (1) as to Counts 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, and 10s and as to WILLIAM JOSEPH PEPE (2) as to Counts 1s, 2s, 3s, 6s, 7s, 8s, and 9s held on 5/25/2021. Both defendants appeared by video. Plea of NOT GUILTY entered as to DOMINIC PEZZOLA (1) as to Counts 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, and 10s. Plea of NOT GUILTY entered as to WILLIAM JOSEPH PEPE (2) as to Counts 1s, 2s, 3s, 6s, 7s, 8s, and 9s. Speedy Trial Excludable (XT) started 5/25/2021 through 8/2/2021, in the interest of justice, as to DOMINIC PEZZOLA (1) and WILLIAM JOSEPH PEPE (2). VTC Status Conference set for 8/2/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorneys: 1-Martin Harold Tankleff and Steven Metcalf, 2-John M. Pierce; US Attorneys: Erik Michael Kenerson and Christopher Berridge. (zkh) (Entered: 05/25/2021)
06/09/2021	62	NOTICE OF ATTORNEY APPEARANCE: Steven Alan Metcalf, II appearing for DOMINIC PEZZOLA (Metcalf, Steven) (Entered: 06/09/2021)
07/09/2021	65	MOTION to Modify <i>Bail</i> , MOTION for Placement in High Intensity Supervision Program by <i>Dominic Pezzola</i> , MOTION to Permit Laptop by DOMINIC PEZZOLA. (Attachments: # 1

	Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N)(Tankleff, Martin) Modified on 7/14/2021 (znmw). (Entered: 07/09/2021)
07/13/2021	66 Unopposed MOTION for Extension of Time to <i>File Memorandum in Opposition to Defendant's Motion for Release</i> by USA as to DOMINIC PEZZOLA. (Attachments: # 1 Text of Proposed Order)(Kenerson, Erik) (Entered: 07/13/2021)
07/15/2021	MINUTE ORDER as to DOMINIC PEZZOLA (1): It is hereby ORDERED, for good cause shown, that the Government's 66 Unopposed Motion for Enlargement of Time is GRANTED. The Government shall respond to Defendant's 65 Motion for Bail by August 6, 2021. It is further ORDERED that Defendant shall file a reply, if any, by August 20, 2021. Signed by Judge Timothy J. Kelly on 07/15/2021. (lctjk3) (Entered: 07/15/2021)
07/28/2021	67 NOTICE <i>Regarding Discovery</i> by USA as to DOMINIC PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE (Attachments: # 1 Memorandum Regarding Discovery, # 2 Exhibit A - Examples of Defense Requests)(Kenerson, Erik) (Entered: 07/28/2021)
08/02/2021	Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to DOMINIC PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3) held on 8/2/2021. ALL Defendants appeared by video. Oral argument on 63 MOTION to Revoke <i>Detention Order</i> by Defendant GREENE (3), heard and DENIED. Speedy Trial Excludable (XT) started 8/2/2021 through 9/24/2021, in the interest of justice, as to ALL Defendants. VTC Bond Hearing as to DOMINIC PEZZOLA (1) set for 9/2/2021 at 11:00 AM before Judge Timothy J. Kelly. VTC Status Conference as to ALL Defendants set for 9/24/2021 at 10:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains on Personal Recognizance, 3-Remains Committed, Court Reporter: Timothy Miller; Defense Attorneys: 1-Martin Harold Tankleff and Steven Metcalf, 2-John M. Pierce, 3-Michael Adam Kasmarek; US Attorneys: Erik Michael Kenerson, Christopher Berridge, and James Pearce. (zkh) (Entered: 08/02/2021)
08/02/2021	Set/Reset Hearings as to DOMINIC PEZZOLA (1): VTC Bond Hearing set for 9/2/2021 at 11:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 08/02/2021)
08/03/2021	NOTICE OF HEARING (Time Change) as to DOMINIC PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3): VTC Status Conference set for 9/24/2021 at 11:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 08/03/2021)
08/06/2021	69 Memorandum in Opposition by USA as to DOMINIC PEZZOLA re 65 First MOTION to Modify <i>Bai</i> MOTION to Permit First MOTION for Placement in High Intensity Supervision Program by <i>Dominic Pezzola</i> (Attachments: # 1 Exhibit A - Department of Corrections Voluminous Discovery Instructions)(Kenerson, Erik) (Entered: 08/06/2021)
08/20/2021	70 REPLY in Support by DOMINIC PEZZOLA re 65 First MOTION to Modify <i>Bai</i> MOTION to Permit First MOTION for Placement in High Intensity Supervision Program by <i>Dominic Pezzola Seeking Modification of Bail</i> (Tankleff, Martin) (Entered: 08/20/2021)
08/26/2021	71 STATUS REPORT <i>Regarding Discovery</i> by USA as to DOMINIC PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE (Kenerson, Erik) (Entered: 08/26/2021)
08/27/2021	NOTICE OF HEARING as to DOMINIC J. PEZZOLA (1): The VTC Bond Hearing currently set for 9/2/2021 has been RESCHEDULED for 9/14/2021 at 10:00 AM in Courtroom 11 before Judge Timothy J. Kelly. (zkh) (Entered: 08/27/2021)
09/13/2021	74 First MOTION to Continue <i>Hearing Adjournment</i> by DOMINIC J. PEZZOLA. (Metcalf, Steven) Modified event on 9/15/2021 (znmw). (Entered: 09/13/2021)
09/13/2021	MINUTE ORDER as to DOMINIC J. PEZZOLA (1): It is hereby ORDERED, for good cause shown, that the 74 Motion for Hearing Adjournment is GRANTED. The Bond Hearing scheduled for September 14, 2021, at 10:00 a.m. is CONTINUED to September 22, 2021, at 10:00 a.m. Signed by Judge Timothy J. Kelly on 09/13/2021. (lctjk3) (Entered: 09/13/2021)
09/16/2021	75 STATUS REPORT <i>Regarding Discovery</i> by USA as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE (Kenerson, Erik) (Entered: 09/16/2021)
09/21/2021	76 NOTICE of <i>Video Exhibits</i> by USA as to DOMINIC J. PEZZOLA (Kenerson, Erik) (Entered: 09/21/2021)
09/21/2021	77 NOTICE of <i>Additional Authority</i> by USA as to DOMINIC J. PEZZOLA (Kenerson, Erik) (Entered: 09/21/2021)
09/22/2021	Minute Entry for proceedings held before Judge Timothy J. Kelly: Bond Hearing as to DOMINIC J. PEZZOLA (1) held on 9/22/2021. Oral argument heard and taken under advisement, on Defendant's 65 First MOTION to Modify Bail for Placement in High Intensity Supervision Program. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: Martin Harold Tankleff and Steven Alan Metcalf, II; US Attorneys: Christopher Berridge and Erik Michael Kenerson; Pretrial Officer: Masharia Holman. (zkh) (Entered: 09/22/2021)
09/23/2021	78 MOTION to Continue <i>Status Conference</i> , MOTION for <i>Speedy Trial Exclusion</i> by USA as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE. (Attachments: # 1 Text of Proposed Order)(Kenerson, Erik) (Entered: 09/23/2021)
09/23/2021	MINUTE ORDER as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), MATTHEW GREENE (3): It is hereby ORDERED, by consent of the parties, that the status conference scheduled for September 24, 2021, is VACATED. The Court shall promptly reschedule the status conference consistent with the representations of the parties. Signed by Judge Timothy J. Kelly on 09/23/2021. (lctjk3) (Entered: 09/23/2021)
09/27/2021	MINUTE ORDER as to DOMINIC PEZZOLA (1), WILLIAM PEPE (2), and MATTHEW GREENE (3): It is hereby ORDERED that the parties shall appear for a status conference on October 27th at 2:00 p.m. via videoconference. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to appear. It is further ORDERED that, nunc pro tunc, the time period from September 24, 2021, to October 27, 2021, is EXCLUDED under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds that, because of the government's ongoing production of voluminous discovery in this matter, see ECF Nos. 71 and 78, and with the consent of the parties, the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Timothy J. Kelly on 09/27/2021. (lctjk3) (Entered: 09/27/2021)
09/27/2021	79 APPLICATION FOR ACCESS TO VIDEO EXHIBITS by PRESS COALITION as to DOMINIC J. PEZZOLA. (zltpt) (Entered: 09/27/2021)
09/28/2021	MINUTE ORDER as to DOMINIC J. PEZZOLA (1): It is hereby ORDERED that the 79 Application for Access to Video Exhibits is GRANTED. The government is DIRECTED, after consultation with and consent of the parties, to promptly make the video exhibits submitted for Defendant's September 22, 2021, bond hearing publicly available without restrictions by providing access using the "drop box" technical solution described in Standing Order 21-28, In re: Media Access to Video Exhibits in Pretrial Capitol Cases. Signed by Judge Timothy J. Kelly on 09/28/2021. (lctjk3) (Entered: 09/28/2021)
10/13/2021	81 REDACTED TRANSCRIPT OF BOND HEARING in case as to DOMINIC J. PEZZOLA before Judge Timothy J. Kelly held on 9-22-21; Page Numbers: 1-61; Date of Issuance: 10-13-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov . Redaction Request due 11/3/2021. Redacted Transcript Deadline set for 11/13/2021. Release of Transcript Restriction set for 1/11/2022.(Miller, Timothy) (Entered: 10/13/2021)
10/20/2021	82 MOTION for Protective Order (<i>Second Protective Order</i>) by USA as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE. (Attachments: # 1 Text of Proposed Order, # 2 Declaration Attachment A - Declaration of Thomas DiBiase, # 3 Attachments to Attachment A, # 4 Declaration Attachment B - Declaration of Jason Baltimore)(Kenerson, Erik) (Entered: 10/20/2021)
10/21/2021	83 MOTION to Access <i>Video Exhibits</i> by PRESS COALITION as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE. (Attachments: # 1 Proposed Order)(Tobin, Charles) (Entered: 10/21/2021)
10/21/2021	84 Corporate Disclosure Statement by DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE identifying Corporate Parent AT&T INC., Corporate Parent NEWS CORPORATION, Corporate Parent NASH HOLDINGS LLC, Corporate Parent RUBY NEWCO, LLC, Corporate Parent GRAY TELEVISION, INC., Corporate Parent NEWS PREFERRED HOLDINGS, INC., Corporate Parent VIACOMCBS INC., Corporate Parent NANTMEDIA HOLDINGS, LLC., Corporate Parent The Walt Disney Company, Other Affiliate COMCAST CORPORATION, Other Affiliate VANGUARD GROUP, INC., Other Affiliate BLACKROCK INC., Other Affiliate NBCUNIVERSAL MEDIA LLC, Other Affiliate NATIONAL AMUSEMENTS, INC. for PRESS COALITION. (Tobin, Charles) (Entered: 10/21/2021)
10/22/2021	ENTERED IN ERROR..... ORDER as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3): It is hereby ORDERED that Defendants DOMINIC J. PEZZOLA (1) and WILLIAM JOSEPH PEPE (2) shall file any opposition to the Government's 82 Motion for Second Protective Order by October 25, 2021. Signed by Judge Timothy J. Kelly on 10/22/2021. (lctjk3) Modified to remove order on 10/22/2021 (zkh). (Entered: 10/22/2021)
10/22/2021	85 MINUTE ORDER as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3): It is hereby ORDERED that Movant Press Coalition's 83 Motion to Access Video Exhibits is DENIED AS MOOT. Movant's 83 motion appears to request the same materials as its previous 79 Application for Access to Video Exhibits, which the Court granted on September 28, 2021. Signed by Judge Timothy J. Kelly on 10/22/2021. (lctjk3) (Entered: 10/22/2021)
10/22/2021	MINUTE ORDER as to DOMINIC J. PEZZOLA (1) and WILLIAM JOSEPH PEPE (2): It is hereby ORDERED that Defendants DOMINIC J. PEZZOLA (1) and WILLIAM JOSEPH PEPE (2) shall file any opposition to the Government's 82 Motion for Second Protective Order by October 25, 2021. Signed by Judge Timothy J. Kelly on 10/22/2021. (lctjk3) (Entered: 10/22/2021)
10/22/2021	86 MOTION to Access <i>Video Exhibits (Corrected)</i> by PRESS COALITION as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE. (Attachments: # 1 Proposed

		Order)(Tobin, Charles) (Entered: 10/22/2021)
10/22/2021	87	RESPONSE by DOMINIC J. PEZZOLA re 82 MOTION for Protective Order (<i>Second Protective Order</i>) (Tankleff, Martin) (Entered: 10/22/2021)
10/25/2021		MINUTE ORDER as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3): It is hereby ORDERED that the Government shall file any opposition to Movant Press Coalition's 86 Motion to Intervene by October 29, 2021. Signed by Judge Timothy J. Kelly on 10/25/2021. (lctjk3) (Entered: 10/25/2021)
10/26/2021	89	STATUS REPORT <i>Regarding Discovery</i> by USA as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE (Kenerson, Erik) (Entered: 10/26/2021)
10/26/2021	90	SUPPLEMENT by DOMINIC J. PEZZOLA re 65 First MOTION to Modify <i>Bail</i> MOTION to Permit First MOTION for Placement in High Intensity Supervision Program by <i>Dominic Pezzola</i> (Attachments: # 1 Exhibit A)(Tankleff, Martin) (Entered: 10/26/2021)
10/27/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3) held on 10/27/2021. ALL defendants appeared by video. For the reasons stated on the record, Defendant PEZZOLA's 65 MOTION to Modify <i>Bail</i> is DENIED. Speedy Trial Excludable (XT) started 10/27/2021 through 1/11/2022, in the interest of justice, as to ALL defendants. Government Status Report due by 12/3/2021. VTC Status Conference set for 1/11/2022 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains on Personal Recognizance, 3-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-Martin Harold Tankleff and Steven Metcalf, 2-John M. Pierce, 3-Michael Adam Kasmarek; US Attorney: Erik Michael Kenerson. (zkh) (Entered: 10/27/2021)
10/29/2021	91	Memorandum in Opposition by USA as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE re 86 MOTION to Access <i>Video Exhibits (Corrected)</i> (Kenerson, Erik) (Entered: 10/29/2021)
10/29/2021	92	REPLY in Support by PRESS COALITION as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE re 86 MOTION to Access <i>Video Exhibits (Corrected)</i> (Tobin, Charles) (Entered: 10/29/2021)
11/02/2021	93	ORDER granting the Government's 82 Motion for Protective Order as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3). See Order for details. Signed by Judge Timothy J. Kelly on 11/2/2021. (lctjk3) (Entered: 11/02/2021)
11/02/2021		MINUTE ORDER as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3): It is hereby ORDERED that Movant Press Coalition's 86 Motion to Intervene is DENIED. Generally, intervenors may seek access only to judicial records, which are documents filed with courts that play a role in the adjudicatory process. See <i>United States v. El-Sayegh</i> , 131 F.3d 158, 163 (D.C. Cir. 1997). Moreover, the concept of judicial records "assumes a judicial decision[.]" and without one, documents cannot be judicial records. <i>Id.</i> at 162. Movant Press Coalition seeks access to materials that the government seeks to produce to the defendants in discovery, as opposed to judicial records to which a right of access may attach. Of course, should any of the materials produced to the defendants later play a role in an adjudicatory process, they may be subject to such a motion. Signed by Judge Timothy J. Kelly on 11/2/2021. (lctjk3) (Entered: 11/02/2021)
11/05/2021	94	STATUS REPORT <i>Regarding Discovery</i> by USA as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE (Kenerson, Erik) (Entered: 11/05/2021)

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