

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	Criminal No. 21-cr-40-TNM
	:	
PATRICK MCCAUGHEY, et al.	:	
	:	
Defendant.	:	Status Hearing: March 4, 2022

MOTION FOR PRETRIAL SCHEDULING ORDER

The United States of America respectfully moves the court to implement the attached proposed pre-trial scheduling order for severance and other Rule 12 motions in the upcoming trials of *U.S. v. Patrick McCaughey*, 21-cr-40-TNM, et al. **The United States has consulted with counsel for each defendant and defendants Patrick McCaughey, Tristan Stevens, David Judd, Robert Morss, Geoffrey Sills, Christopher Quaglin, Federico Klein, and Steven Cappuccio consent to the imposition of the attached order. Counsel for defendant David Mehaffie opposes some deadlines proposed in this order.**

Trial for “Group 1” in this nine-codefendant case, including defendants McCaughey, Stevens, Morss, and Mehaffie, is scheduled to begin on August 29, 2022. Trial for “Group 2,” including defendants Judd, Quaglin, Sills, Cappuccio, and Klein, is scheduled to begin on October 3, 2022. Pursuant to Federal Rule of Criminal Procedure 12(c), the court may “set a deadline for the parties to make pretrial motions...If the court does not set one, the deadline is the start of trial.”

The United States proposes the deadlines in the attached order as dates which will provide an orderly structure in which the parties may raise and respond to pre-trial issues, while also allowing the court time to resolve each issue well in advance of the trial dates. These proposed deadlines also allow the parties ample time for responses, as well as time for many pre-trial issues to be fully litigated and

resolved sufficiently in advance of trial to allow the parties time to craft effective trial strategies that incorporate the court's rulings. The proposed deadlines also take account of the fact that each pre-trial issue may be multiplied by nine, which may be most efficiently addressed by omnibus responses and rulings.

The deadlines proposed in the attached order are reasonable and will allow the court to conserve judicial resources by considering similar types of motions globally where issues for individual defendants overlap. It will also allow for the orderly and timely resolution of pretrial issues, while providing the parties with sufficient time to prepare for trial in light of any court rulings. Further, counsel for eight codefendants consent to the deadlines in the attached order, with only counsel for defendant Mehaffie objecting to the proposed deadlines. The parties were not able to reach an agreement on deadlines for remaining motions, notices, or a joint pre-trial statement at this time and may ask the court to set additional deadlines at a later date. As such, the United States asks that the court implement the following proposed order.

Respectfully submitted,

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