

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

UNITED STATES OF AMERICA,

v.

ETHAN NORDEAN et al.,

Defendants.

Criminal Action No. 21-175 (TJK)

SCHEDULING ORDER

The parties appeared before the Court on April 21, 2022, for a status conference in this matter. As discussed at that conference, it is hereby **ORDERED** that:

1. The United States shall notify Defendants Tarrio and Pezzola of its intention to introduce any 404(b) evidence against them by May 6, 2022;
2. The parties shall file any pretrial motions, including motions to suppress and motions *in limine*, by June 15, 2022; oppositions to the motions shall be filed by June 29, 2022; and replies shall be filed by July 6, 2022;
3. The parties shall file on the docket and submit to chambers in Microsoft Word format at Kelly_Chambers@dcd.uscourts.gov a Joint Pretrial Statement, which shall include the information set forth in Attachment A to this Order, by July 6, 2022;
4. The parties shall appear for a motions hearing and pretrial conference on July 13, 2022, at 10:00 a.m, in a courtroom to be determined; and
5. Jury selection and trial shall commence on August 8, 2022, at 9:00 a.m., in a courtroom to be determined.

SO ORDERED.

/s/ Timothy J. Kelly
TIMOTHY J. KELLY
United States District Judge

Date: April 22, 2022

Attachment A

The Joint Pretrial Statement shall include the following:

- a. A one-paragraph joint statement of the case for the Court to read to prospective jurors;
- b. Proposed voir dire questions that include:
 - i. The *voir dire* questions on which the parties agree; and
 - ii. The *voir dire* questions in which the parties disagree, with specific objections noted below each disputed question and supporting legal authority (if any);
- c. Proposed jury instructions, which are formatted so that each instruction begins on a new page, and indicate:
 - i. The instructions to which the parties agree;
 - ii. The instructions to which the parties disagree, with specific objections noted below each disputed instruction and supporting legal authority (if any); and
 - iii. The proposed instruction's source (e.g., the Red Book, Matthew Bender's Federal Jury Instructions), or, for modified or new instructions, its supporting legal authority;
- d. A list of expert witnesses, accompanied by a brief description of each witness's area of expertise and expected testimony, followed by specific objections (if any) to each witness;
- e. A list of prior convictions that the government intends to use for impeachment or any other purpose, followed by specific objections (if any) to that use;
- f. A list of exhibits that the government intends to offer during trial, with a brief description of each exhibit;
- g. Any stipulations executed or anticipated to be executed;
- h. A list of lesser included offenses for which any party may seek a jury instruction; and
- i. A proposed verdict form that includes a date and signature line for the jury foreperson, as well as proposed special interrogatories (if any).