

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

UNITED STATES OF AMERICA,	)	
	)	
v.	)	Case No. 1:21-cr-179-RCL
	)	
RACHEL POWELL,	)	
Defendant.	)	

**DEFENDANT POWELL’S REQUEST FOR ORAL ARGUMENT**

Defendant Powell, through her counsel, requests oral argument on her Motion to Dismiss Count One of the Indictment, ECF No. 64, pursuant to the Local Rules. LCrR 47(f).

Powell understands that this Court recently denied a motion to dismiss a charge brought under 18 U.S.C. § 1512(c)(2). *United States v. Bingert, et al.*, 21-cr-91-RCL, ECF No. 67 (D.D.C. May 25, 2022). However, Powell respectfully submits that the motion in *Bingert* did not completely brief the issues under consideration in Powell’s motion. In particular, the parties in that case did not appear to brief the Court on highly relevant legislative history concerning § 1512(c). Powell believes that oral argument would throw light on these issues and conduce to proper resolution of her motion. In addition, with a great many defendants raising somewhat similar but distinct arguments in the context of a single overarching investigation, there is a due process risk that defendants like Powell will lose their opportunity to be fully heard on issues based on the motion practice of other defendants over whose arguments they have no control.

Dated: May 26, 2022

Respectfully submitted,

/s/ Nicholas D. Smith  
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**Certificate of Service**

I hereby certify that on the 26th day of May, 2022, I filed the foregoing motion with the Clerk of Court using the CM/ECF system, and counsel of record were served by electronic means.

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