

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

KIM MICHAEL SORGENTE,

Defendant.

Criminal Action No. 21-669 (TJK)

SCHEDULING ORDER

As discussed on the record with the parties today, it is hereby **ORDERED** that:

1. By **November 17, 2023**, (a) The government shall notify Defendant of its intention, if any, to introduce any evidence under Federal Rule of Evidence 404(b); and (b) Defendant shall notify the government of his intention, if any, to assert any of the defenses outlined in Federal Rules of Criminal Procedure 12.1, 12.2, and 12.3;
2. By **December 1, 2023**, the government shall provide Defendant all discovery under Federal Rule of Criminal Procedure 16;
3. By **December 15, 2023**, each party shall disclose to opposing counsel the names of experts with a written summary of any testimony that the party intends to use under Federal Rules of Evidence 702, 703, or 705;
4. By **January 26, 2024**, the parties shall file any pretrial motions, including motions *in limine*; oppositions to the motions shall be filed by **February 9, 2024**; and replies shall be filed by **February 16, 2024**;
5. By **February 23, 2024**, 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;

6. On **March 8, 2024**, at 10:00 a.m. the parties shall appear for a motions hearing and pretrial conference in Courtroom 11; and

7. Jury selection and trial are continued to, and shall commence on, **April 15, 2024**, at 9:00 a.m. in Courtroom 11.

SO ORDERED.

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

Date: October 13, 2023

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).