

#Date ↑ Description

101/13/2022SEALED COMPLAINT as to MARKUS MALY (1). [1:22-mj-00011-GMH]

1 Attachment ▼

301/13/2022MOTION to Seal Case by USA as to MARKUS MALY. [1:22-mj-00011-GMH]

1 Attachment ▼

401/13/2022ORDER granting 3 Motion to Seal Case as to MARKUS MALY (1). Signed by Magistrate Judge G. Michael Harvey on 1/13/2022. (zltp) [1:22-mj-00011-GMH]

501/26/2022Arrest Warrant, dated 1/13/2022, Returned Executed on 1/26/2022 as to MARKUS MALY. (bb) [1:22-mj-00011-GMH]

01/26/2022Arrest of MARKUS MALY in Virginia. (bb) [1:22-mj-00011-GMH] (Text entry; no document attached.)

01/26/2022Case unsealed as to MARKUS MALY (bb) [1:22-mj-00011-GMH] (Text entry; no document attached.)

602/03/2022NOTICE OF ATTORNEY APPEARANCE: Benjamin Mark Schiffelbein appearing for MARKUS MALY [1:22-mj-00011-GMH]

702/08/2022MOTION for Bond review by District Court by MARKUS MALY. [1:22-mj-00011-GMH]

6302/09/2022SECOND SUPERSEDING INDICTMENT as to PETER SCHWARTZ (1) count(s) 1ss, 2ss, 3ss-4ss, 7ss, 8ss, 9ss, 10ss, 11ss, 12ss, 13ss, JEFFREY SCOTT BROWN (2) count(s) 2s, 7s, 9s, 10s, 11s, 12s, 13s, MARKUS MALY (3) count(s) 2, 5, 7, 9, 10, 11, 12, 13, SHELLY STALLINGS (4) count(s) 2, 6, 9, 10, 11, 12, 13. (zltp)

6502/09/2022MOTION to Seal Case by USA as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, MARKUS MALY, SHELLY STALLINGS.

1 Attachment ▼

6602/09/2022ORDER granting 65 Motion to Seal Case as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), MARKUS MALY (3), SHELLY STALLINGS (4). Signed by Magistrate Judge Robin M. Meriweather on 2/9/2022. (zltp)

02/10/2022MINUTE ORDER as to MARKUS MALY (3). The United States shall respond to Defendant's 7 Motion for District Court to Review Magistrate's Detention Order on or before February 15, 2022. To the extent available, the government's motion shall attach a transcript of Defendant's detention hearing and any written findings of the magistrate judge. Signed by Judge Amit P. Mehta on 2/10/2022. (Text entry; no document attached.)

7002/15/2022Opposition in Support of Pretrial Detention by USA as to MARKUS MALY (3) re 7 MOTION for Bond review by District Court (Attachment: # 1 Notice of Filing of Exhibits)

02/16/2022Case unsealed as to MARKUS MALY, SHELLY STALLINGS (zltp) (Text entry; no document attached.)

02/17/2022ORAL MOTION to Appoint Counsel by MARKUS MALY (3). (Text entry; no document attached.)

02/17/2022ORAL MOTION for Speedy Trial Waiver by USA as to MARKUS MALY (3). (Text entry; no document attached.)

02/17/2022Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: VTC Initial Appearance/Arraignment as to MARKUS MALY (3) Count 2,5,7,9,10,11,12,13 held on 2/17/2022. Not Guilty Plea entered by MARKUS MALY (3) as to all counts. Oral Motion to Appoint Counsel by MARKUS MALY (3) Heard and Granted. Court finds that the Defendant has had a Detention Hearing in the arresting jurisdiction where it was ruled that the Defendant shall be held pretrial. Oral Motion by the Government for Speedy Trial Waiver as to MARKUS MALY (3) Heard and Granted. Time between 2/17/2022 and 2/28/2022 (11 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Bond Status of Defendant: Defendant Remains Committed; Court Reporter: FTR-Gold FTR Time Frame: CTRM 4 [11:41:57-11:56:35]; Defense Attorney: Benjamin Schiffelbein; US Attorney: Frederick Yette for Mitra Jafary-Hariri; Pretrial Officer: Dashanta Valentine-Lewis; (Text entry; no document attached.)

7202/21/2022PRETRIAL ORDER as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), MARKUS MALY (3), SHELLY STALLINGS (4). Trial is set to commence in this matter on November 1, 2022, at 9:30 a.m., in Courtroom 10. The following deadlines shall govern this matter: (1) The parties shall file their Rule 12 motions, if any, on or before August 23, 2022; oppositions, if any, shall be filed on or before September 6, 2022; and replies, if any, shall be filed on or before September 13, 2022; (2) the United States shall notify Defendant of its intention to introduce any Rule 404(b) evidence not already disclosed on or before October 4, 2022; (3) motions in limine, if any, shall be filed on or before October 5, 2022; oppositions, if any, shall be filed on or before October 12, 2022; and replies, if any, shall be filed on or before October 19, 2022; (4) the United States is directed to make grand jury and Jencks Act disclosures as to each of its witnesses on or before October 25, 2022, and any Brady material not already disclosed also shall be disclosed by this date; (5) on or before October 14, 2022, counsel shall file a Joint Pretrial Statement; (6) counsel shall appear on September 16, 2022, at 1:00 p.m., for a hearing on Rule 12 pretrial motions, if

necessary; and (7) counsel shall appear on October 21, 2022, at 3:00 p.m., for a final Pretrial Conference. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 2/21/2022. (lcapm2)

02/24/2022MINUTE ORDER as to JEFFREY SCOTT BROWN. The United States shall respond to Defendant Brown's 75 Motion to Reconsider Bond Status and Release Pending Trial by March 3, 2022. Signed by Judge Amit P. Mehta on 2/24/2022. (lcapm2) (Text entry; no document attached.)

02/25/2022NOTICE OF HEARING as to MARKUS MALY (3): Bond Hearing set for 2/28/2022 at 4:15 PM via videoconference before Judge Amit P. Mehta. The courtroom deputy has circulated connection information to counsel. Members of the public or media may access the hearing via teleconference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. (Text entry; no document attached.)

02/28/2022Minute Entry for proceedings held before Judge Amit P. Mehta: Bond Hearing as to MARKUS MALY began and held via videoconference on 2/28/2022. Government's Submission due by 3/1/2022. Bond Hearing will resume on 3/2/2022 at 4:30 PM via videoconference before Judge Amit P. Mehta. Members of the public may access the hearing by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendant: remains in-custody; Court Reporter: William Zaremba; Defense Attorney: Benjamin Schiffelbein; US Attorney: Mitra Jafary-Hariri; Pretrial Officer: Shay Holman. (Text entry; no document attached.)

7703/02/2022NOTICE of Filing of Additional Exhibit by USA as to MARKUS MALY

03/02/2022Minute Entry for proceedings held before Judge Amit P. Mehta: Bond Hearing as to MARKUS MALY (3) resumed and held via videoconference on 3/2/2022. For the reasons stated on the record, the Court grants the defendant's 7 Motion for District Court to Review Magistrate's Detention Order. Government's Oral Motion to stay release order pending confirmation of appeal, heard and granted. The Government shall update the Court at the status conference. In the interests of justice, and for the reasons stated on the record, the time from 3/3/2022 through and including 4/18/2022 shall be excluded in computing the date for speedy trial in this case. Status Conference set for 3/4/2022 at 3:00 PM via videoconference before Judge Amit P. Mehta. Bond Status of Defendant: remains in-custody; Court Reporter: William Zaremba; Defense Attorney: Benjamin Schiffelbein; US Attorney: Mitra Jafary-Hariri; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)

03/04/2022Minute Entry for proceedings held via videoconference before Judge Amit P. Mehta: Status Conference as to MARKUS MALY (3) held on 3/4/2022. Bond Status of Defendant: appearance waived; released on personal recognizance, conditions set; Court Reporter: William Zaremba; Defense Attorney: Benjamin Schiffelbein; US Attorney: Mitra Jafary-Hariri; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)

8003/07/2022TRANSCRIPT OF BOND HEARING VIA ZOOM PROCEEDINGS in case as to MARKUS MALY before Judge Amit P. Mehta held on February 28, 2022; Page Numbers: 1-47. Date of Issuance: March 7, 2022. Court Reporter/Transcriber: William Zaremba; Telephone number: (202) 354-3249. 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, PDF 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 3/28/2022. Redacted Transcript Deadline set for 4/7/2022. Release of Transcript Restriction set for 6/5/2022.

8103/07/2022TRANSCRIPT OF BOND HEARING VIA ZOOM PROCEEDINGS in case as to MARKUS MALY before Judge Amit P. Mehta held on March 2, 2022; Page Numbers: 1-41. Date of Issuance: March 7, 2022. Court Reporter/Transcriber: William Zaremba; Telephone number: (202) 354-3249. 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, PDF 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 3/28/2022. Redacted Transcript Deadline set for 4/7/2022. Release of Transcript Restriction set for 6/5/2022.

8203/04/2022ORDER Setting Conditions of Release with Global Positioning System Monitoring as to MARKUS MALY (3). Signed by Judge Amit P. Mehta on 3/4/2022. (Attachment: # 1 Appearance Bond)

8303/08/2022Unopposed MOTION for Protective Order by USA as to MARKUS MALY.

[1 Attachment ▼](#)

8403/08/2022Unopposed MOTION for Order to Disclose 6(e) and Sealed Materials by USA as to MARKUS MALY.

[1 Attachment ▼](#)

8503/08/2022ORDER granting 83 Unopposed Motion for Protective Order as to MARKUS MALY (3) and entering Protective Order. See attached Order for details. Signed by Judge Amit P. Mehta on 3/8/2022. (lcapm2)

8603/08/2022ORDER granting 84 Unopposed Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials and entering Order as to MARKUS MALY (3). See attached Order for details. Signed by Judge Amit P. Mehta on 3/8/2022. (lcapm2)

8703/11/2022AMENDED PRETRIAL ORDER as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), MARKUS MALY (3), and SHELLY STALLINGS (4). The 72 Pretrial Order is amended as follows: (1) The United States shall make any required expert disclosures pursuant to Rule 16(a)(1)(G) by September 13, 2022; any reciprocal expert disclosure by Defendants shall be made by September 27, 2022. (2) The United States shall identify the evidence it will seek to introduce under Federal Rule of Evidence 404(b) on or before September 20, 2022. (3) Motions in limine, if any, shall be filed on or before September 27, 2022; oppositions, if any, shall be filed on or before October 11, 2022; and replies, if any, shall be filed on or before October 18, 2022. (4) Defendants shall satisfy their reciprocal discovery obligations, if any, under Rule 16(b) (except as to experts, as noted above) by September 13, 2022. The court will consider any motion in limine with respect to reciprocal discovery after such discovery is received. Any such motion shall be filed by September 20, 2022; any opposition to such motion shall be filed by September 27, 2022. (7) On or before September 27, 2022, counsel shall file a draft Joint Juror Questionnaire. Qualified prospective jurors will appear on October 18, 2022, to answer the finalized version of this questionnaire. More details about the procedure for this date will follow closer in time. (8) The Joint Pretrial Statement remains due on October 14, 2021, but it no longer needs to include any voir dire questions. See attached Order for additional details. Signed by Judge Amit P. Mehta on 3/11/2022. (lcapm2)

8903/16/2022AMENDED PRETRIAL ORDER as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), MARKUS MALY (3), and SHELLY STALLINGS (4). The 87 Amended Pretrial Order is further amended as follows: Instead of submitting a jury questionnaire, counsel shall include a proposed list of voir dire questions to pose to prospective jurors in their Joint Pretrial Statement. See attached Order for details. Signed by Judge Amit P. Mehta on 3/16/2022. (lcapm2)

04/18/2022Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), MARKUS MALY (3), and SHELLY STALLINGS (4) held via videoconference on 4/18/2022. In the interests of justice, and for the reasons stated on the record, the time from 4/19/2022 through and including 6/24/2022 shall be excluded in computing the date for speedy trial in this case. Status Conference set for 6/24/2022 at 03:00 PM via videoconference before Judge Amit P. Mehta. Members of the public or media may access the hearing via teleconference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendants: Schwartz (1) remains in-custody, Brown (2) remains in-custody, Maly (3) remains on personal recognizance, Stallings (4) remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: Dennis Boyle (1), Samuel Moore (2), Benjamin Schiffelbein (3), and Scott Wendelsdorf (4); US Attorneys: Jocelyn Bond and Mitra Jafary-Hariri. (Text entry; no document attached.)

10204/25/2022NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Cho, Cindy Jane added.

10306/05/2022STATUS REPORT Regarding Discovery by JEFFREY SCOTT BROWN as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, MARKUS MALY, SHELLY STALLINGS

06/22/2022NOTICE OF HEARING as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), MARKUS MALY (3), and SHELLY STALLINGS (4): The Status Conference set for June 24, 2022 will proceed at 11:30 AM via videoconference before Judge Amit P. Mehta (same date, new time). Members of the public or media may access the hearing via teleconference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. The hearing originally scheduled for 3:00 PM is hereby vacated. (Text entry; no document attached.)

06/24/2022Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), MARKUS MALY (3), and SHELLY STALLINGS (4) held via videoconference on 6/27/2022. In the interests of justice, and for the reasons stated on the record, the time from 6/25/2022 through and including 11/1/2022 shall be excluded in computing the date for speedy trial as to Schwartz (1), Maly (3), Stallings (4). In the interests of justice, and for the reasons stated on the record, the time from

6/25/2022 through and including 7/20/2022 shall be excluded in computing the date for speedy trial as to Brown (2). Status Conference as to JEFFREY SCOTT BROWN (2) set for 7/20/2022 at 10:00 AM before Judge Amit P. Mehta. Bond Status of Defendant: Schwartz (1) remains in-custody, Brown (2) remains in-custody, Maly (3) remains on personal recognizance, Stallings (4) remains on personal recognizance;; Court Reporter: William Zaremba; Defense Attorney: Dennis Boyle (1), Blerina Jasari (1), Farheena Siddiqui (2), Benjamin Schiffelbein (3), Scott Wendelsdorf (4); US Attorneys: Jocelyn Bond and Cindy Cho. (Text entry; no document attached.)

11008/11/2022NOTICE OF WITHDRAWAL OF APPEARANCE of Elizabeth C. Kelley by USA as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, MARKUS MALY, SHELLY STALLINGS

08/18/2022MINUTE ORDER granting 114 Defendant Peter Schwartz's Unopposed Motion for Continuance of Motions Hearing. The following deadlines shall govern this matter: Rule 12 pretrial motions shall now be due on August 30, 2022; (2) oppositions to Rule 12 motions shall be due on September 13, 2022; and (3) replies shall be due on September 20, 2022. The court will set an oral argument date, if needed, when its schedule permits. Signed by Judge Amit P. Mehta on 8/18/2022. (lcapm2) (Text entry; no document attached.)

11508/18/2022NOTICE OF ATTORNEY APPEARANCE Stephen James Rancourt appearing for USA.

08/18/2022Set/Reset Deadlines as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), MARKUS MALY (3), SHELLY STALLINGS (4): Motions due by 8/30/2022. Responses due by 9/13/2022 Replies due by 9/20/2022. (zjch,) (Text entry; no document attached.)

12308/30/2022MOTION to Change Venue by JEFFREY SCOTT BROWN as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, MARKUS MALY, SHELLY STALLINGS.

1 Attachment ▼

12408/30/2022MOTION to Suppress statements by MARKUS MALY.

12709/13/2022Memorandum in Opposition by USA as to MARKUS MALY re 124 Motion to Suppress

3 Attachments ▼

13709/20/2022NOTICE of Intent to Introduce Evidence under Federal Rule of Evidence 404(b) by USA as to MARKUS MALY

1 Attachment ▼

13909/27/2022ORDER granting 138 Unopposed Motion to Modify a Condition of Release as to JEFFREY SCOTT BROWN. Please see attached Order for additional details. Signed by Judge Amit P. Mehta on 9/27/2022. (lcapm2)

14009/27/2022MOTION in Limine to Preclude Claim of Self-Defense for Defendants Peter Schwartz, Jeffrey Brown, and Markus Maly by USA as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, MARKUS MALY. Modified event type and text to remove unassociated defendant on 9/28/2022 (zltp).

14210/11/2022ORDER denying 118 Motion for Change of Venue as to PETER SCHWARTZ; denying 119 Motion to Dismiss as to SCHWARTZ; denying 120 Motion to Sever Defendant as to SCHWARTZ; denying 122 Motion to Sever Defendant as to JEFFREY SCOTT BROWN; denying 123 Motion for Change of Venue as to BROWN; and denying 126 Motion to Continue as to BROWN. See attached Order for additional details. Signed by Judge Amit P. Mehta on 10/11/2022. (lcapm2)

14310/11/2022RESPONSE by PETER SCHWARTZ as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, MARKUS MALY, SHELLY STALLINGS re 140 MOTION in Limine

1 Attachment ▼

14610/14/2022ORDER granting 145 Motion to Modify Conditions of Release as to JEFFREY SCOTT BROWN.

Please see attached Order for additional details. Signed by Judge Amit P. Mehta on 10/14/2022. (lcapm2)

14710/14/2022Joint Pretrial Statement by USA as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, MARKUS MALY.

9 Attachments ▼

10/21/2022NOTICE OF HEARING as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), and MARKUS MALY (3): The Pretrial Conference set for October 21, 2022 shall now proceed at 2:00 PM in Courtroom 23 before Judge Amit P. Mehta. (Text entry; no document attached.)

10/21/2022Minute Entry for proceedings held before Judge Amit P. Mehta: Pretrial Conference as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), MARKUS MALY (3) held on 10/21/2022. In the interests of justice, and for the reasons stated on the record, the time from 11/1/2022 through and including 11/22/2022 shall be excluded in computing the date from speedy trial in this case. Jury Selection set for 11/22/2022 at 09:30 AM in Courtroom 10 before Judge Amit P. Mehta. Jury Trial set for 11/29/2022 at 09:30 AM in Courtroom 10before Judge Amit P. Mehta. Bond Status of Defendants: Schwartz (1) remains in-custody, Brown (2) remains on personal recognizance, Maly (3) appearance waived/remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: Dennis

Boyle (1), Blerina Jasari (1), Samuel Moore (2), Farheena Siddiqui (2), and Benjamin Schiffelbein (3); US Attorneys: Jocelyn Bond, Cindy Cho, and Stephen Rancourt. (Text entry; no document attached.)

15111/01/2022Consent MOTION for Bond (to amend conditions of release) by MARKUS MALY.

11/03/2022MINUTE ORDER granting Defendant MARKUS MALY's 151 Motion to Amend Conditions of Release. Defendant Maly's conditions of release are hereby modified to permit him to leave his home for purposes of work and traveling to and from work. Signed by Judge Amit P. Mehta on 11/3/2022. (lcapm2) (Text entry; no document attached.)

11/04/2022MINUTE ORDER granting 152 Unopposed Motion to Enlarge Time of Filing. The Government's response shall now be due on or before November 11, 2022. Signed by Judge Amit P. Mehta on 11/4/2022. (lcapm2) (Text entry; no document attached.)

15711/14/2022MOTION in Limine by PETER SCHWARTZ as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, MARKUS MALY, SHELLY STALLINGS.

1 Attachment ▼

11/16/2022MINUTE ORDER denying Government's 140 Motion in Limine to Preclude Claim of Self-Defense as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, and MARKUS MALY. Signed by Judge Amit P. Mehta on 11/16/2022. (lcapm2) (Text entry; no document attached.)

11/16/2022MINUTE ORDER denying Defendant MARKUS MALY's 124 Motion to Suppress Statements. Signed by Judge Amit P. Mehta on 11/16/2022. (lcapm2) (Text entry; no document attached.)

15911/21/2022RESPONSE by USA as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, MARKUS MALY, SHELLY STALLINGS re 157 MOTION in Limine to Exclude Testimony

11/21/2022NOTICE OF HEARING as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), and MARKUS MALY (3): Jury Selection shall proceed on 11/22/2022 at 9:30 AM in Ceremonial Courtroom 20 before Judge Amit P. Mehta. (Text entry; no document attached.)

16011/21/2022RESPONSE by MARKUS MALY re 157 MOTION in Limine

11/22/2022Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Selection as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), and MARKUS MALY (3) held on 11/22/2022. Jury Selection shall resume on 11/29/2022 at 9:00 AM in Courtroom 10 before Judge Amit P. Mehta. Bond Status of Defendants: Schwartz (1) remains in-custody, Brown (2) remains on personal recognizance, Maly (3) remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: Dennis Boyle (1), Blerina Jasari (1), Samuel Moore (2), Farheena Siddiqui (2), and Benjamin Schiffelbein (3); US Attorneys: Jocelyn Bond, Cindy Cho, and Stephen Rancourt. (Text entry; no document attached.)

11/29/2022Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), and MARKUS MALY (3) held on 11/29/2022. Panel of twelve (12) jurors and two (2) alternate jurors selected and sworn. Bond Status of Defendants: Schwartz (1) remains in-custody, Brown (2) and Maly (3) remain on personal recognizance; Court Reporters: William Zaremba (A.M.) and Heidi Geizer (P.M.); Defense Attorneys: Dennis Boyle (1), Blerina Jasari (1), Samuel Moore (2), Farheena Siddiqui (2), and Benjamin Schiffelbein (3); US Attorneys: Jocelyn Bond, Cindy Cho, and Stephen Rancourt. Government Witnesses: Captain Jessica Baboulis and Sgt. Jason Mastony. (Text entry; no document attached.)

11/29/2022MINUTE ORDER: The Court having impaneled the jury in this action, it is hereby ORDERED that during trial and deliberations all meals for said jury shall be paid by the Clerk of the Court for the U.S. District Court for the District of Columbia. Approved by Judge Amit P. Mehta on 11/29/2022. (Text entry; no document attached.)

11/30/2022Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), and MARKUS MALY (3) held on 11/30/2022. Same twelve (12) jurors and two (2) alternate jurors. Jury Trial shall resume on 12/1/2022 at 09:30 AM in Courtroom 10 before Judge Amit P. Mehta. Bond Status of Defendants: Schwartz (1) remains in-custody, Brown (2) and Maly (3) remain on personal recognizance; Court Reporters: William Zaremba (A.M.) and Heidi Geizer (P.M.); Defense Attorneys: Dennis Boyle (1), Blerina Jasari (1), Samuel Moore (2), Farheena Siddiqui (2), and Benjamin Schiffelbein (3); US Attorneys: Jocelyn Bond, Cindy Cho, and Stephen Rancourt. Government Witnesses: Sgt. Jason Mastony, Officer Christopher Boyle, and Officer David Pitt. (Text entry; no document attached.)

12/01/2022MINUTE ORDER as to MARKUS MALY (3). Defendant MALY's GPS monitoring condition is hereby suspended until the conclusion of trial. Signed by Judge Amit P. Mehta on 12/1/2022. (lcapm2) Modified on 12/2/2022 (Text entry; no document attached.)

12/01/2022Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), and MARKUS MALY (3) held on 12/1/2022. The juror in seat 9 (Juror #2696) was

excused and replaced with an alternate juror. Twelve (12) jurors and one (1) alternate juror remain. Jury Trial shall resume on 12/2/2022 at 9:30 AM in Courtroom 10 before Judge Amit P. Mehta. Bond Status of Defendant: Schwartz (1) remains in-custody, Brown (2) and Maly (3) remain on personal recognizance; Court Reporter: William Zaremba (A.M.) and Heidi Geizer (P.M.); Defense Attorneys: Dennis Boyle (1), Blerina Jasari (1), Samuel Moore (2), Farheena Siddiqui (2), and Benjamin Schiffelbein (3); US Attorneys: Jocelyn Bond, Cindy Cho, and Stephen Rancourt. Government Witnesses: Officer David Pitt, Officer Phuson Nguyen, Sgt. William Bogner, Special Agent Jessica Salo. (Text entry; no document attached.)

12/02/2022Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), and MARKUS MALY (3) held on 12/2/2022. Same twelve (12) jurors and one (1) alternate juror. The Government rests its case. Jury Trial shall resume on 12/5/2022 at 9:00 AM in Courtroom 10 before Judge Amit P. Mehta. Bond Status of Defendants: Schwartz (1) remains in-custody, Brown (2) and Maly (3) remain on personal recognizance; Court Reporter: Heidi Geizer (A.M.) and William Zaremba (P.M.); Defense Attorneys: Dennis Boyle (1), Blerina Jasari (1), Samuel Moore (2), Farheena Siddiqui (2), and Benjamin Schiffelbein (3); US Attorneys: Jocelyn Bond, Cindy Cho, and Stephen Rancourt. Government Witnesses: Special Agent Jessica Salo, Special Agent Shawn Cox, and Special Agent Emily Eckert. (Text entry; no document attached.)

12/05/2022Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), and MARKUS MALY (3) held on 12/5/2022. Same twelve (12) jurors and one (1) alternate juror. Defendants' Rule 29 Motions heard and denied, for the reasons stated on the record. All defendants rest their cases. Closing Arguments shall resume on 12/6/2022 at 9:00 AM in Courtroom 10 before Judge Amit P. Mehta. Bond Status of Defendants: Schwartz (1) remains in-custody, Brown (2) and Maly (3) remain on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: Dennis Boyle (1), Blerina Jasari (1), Samuel Moore (2), Farheena Siddiqui (2), and Benjamin Schiffelbein (3); US Attorneys: Jocelyn Bond, Cindy Cho, and Stephen Rancourt. Defense Witness: Markus Maly. (Text entry; no document attached.)

[163](#)12/05/2022Proposed Jury Instructions by MARKUS MALY

12/06/2022Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), and MARKUS MALY (3) held on 12/6/2022. Same twelve (12) jurors and one (1) alternate juror. Closing arguments concluded. Alternate juror excused. As to Defendant Schwartz (1), jury verdict of GUILTY as to Counts 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, and 13 of the 63 Second Superseding Indictment. As to Defendant Brown (2), jury verdict of GUILTY as to Counts 2, 7, 9, 10, 11, 12, and 13 of the 63 Second Superseding Indictment. As to Defendant Maly (3), jury verdict of GUILTY as to Counts 2, 5, 7, 9, 10, 11, 12, and 13 of the 63 Second Superseding Indictment. The parties shall contact Judge Mehta's courtroom deputy regarding sentencing dates. Bond Status of Defendant: Schwartz (1) remains in-custody, Brown (2) and Maly (3) committed, commitments issued; Court Reporter: William Zaremba (A.M.) and Melanie Wilkins (P.M.); Defense Attorneys: Dennis Boyle (1), Blerina Jasari (1), Farheena Siddiqui (2), Benjamin Schiffelbein (3); US Attorneys: Jocelyn Bond, Cindy Cho, and Stephen Rancourt. (Text entry; no document attached.)

[164](#)12/06/2022Jury Notes (2) as to PETER SCHWARTZ (1), JEFFREY SCOTT BROWN (2), and MARKUS MALY (3).

[167](#)12/06/2022JURY VERDICT as to MARKUS MALY (3).

[169](#)12/07/2022Jury Instruction Email Correspondence. (lcapm2)

[170](#)12/07/2022Draft Jury Instructions. December 1, 2022. (lcapm2)

[171](#)12/07/2022Draft Jury Instructions. December 2, 2022. (lcapm2)

[172](#)12/07/2022Jury Instructions. (lcapm2)

12/27/2022MINUTE ORDER as to MARKUS MALY (3). The court hereby refers Defendant Maly to the U.S. Probation Office for preparation of a presentence investigation report. The Final Presentence Investigation Report shall be due on or before April 10, 2023. The Parties' Sentencing Memoranda shall be due on or before April 17, 2023. Replies, if any, shall be due on or before April 24, 2023. Reply briefs shall be limited to five pages. Sentencing for Markus Maly is set for April 28, 2023 at 1:30 PM in Courtroom 10 before Judge Amit P. Mehta. Signed by Judge Amit P. Mehta on 12/27/2022. (Text entry; no document attached.)

[204](#)04/17/2023SENTENCING MEMORANDUM by USA as to MARKUS MALY

[206](#)04/17/2023SENTENCING MEMORANDUM by MARKUS MALY

[207](#)04/18/2023NOTICE of Filing of Exhibits Pursuant to Local Crim. R. 49 by USA as to MARKUS MALY re 204 Sentencing Memorandum

1 Attachment ▼

[208](#)04/18/2023SUPPLEMENT by MARKUS MALY Letter of Support

04/28/2023NOTICE OF HEARING as to MARKUS MALY (3): The Sentencing set for April 28, 2023 is hereby vacated. The parties shall coordinate a new date with Judge Mehta's courtroom deputy. (Text entry; no document attached.)

05/03/2023NOTICE OF HEARING as to MARKUS MALY (3): Sentencing reset to 6/9/2023 at 10:00 AM in Courtroom 10 before Judge Amit P. Mehta. (Text entry; no document attached.)

[222](#)06/07/2023SUPPLEMENT by USA as to MARKUS MALY re 204 Sentencing Memorandum

[223](#)06/08/2023RESPONSE by MARKUS MALY re 204 Sentencing Memorandum and 222 (why the court should not impose a fine against Mr. Maly)

06/09/2023Minute Entry for proceedings held before Judge Amit P. Mehta: Sentencing held on 6/9/2023 as to MARKUS MALY (3). Defendant sentenced to seventy-two (72) months of incarceration and thirty-six (36) months of supervised release as to Counts 5, 7, 9, 10, and 11. Defendant sentenced to sixty (60) months of incarceration and thirty-six (36) months of supervised release as to Count 2. Defendant sentenced to six (6) months as to Counts 12 and 13. All terms of incarceration and supervised release shall run concurrently. Bond Status of Defendant: remains in-custody; Court Reporter: William Zaremba; Defense Attorney: Benjamin Schiffelbein; US Attorney: Stephen Rancourt; Probation Officer: Kelli Willett. (Text entry; no document attached.)

[224](#)06/21/2023Unopposed MOTION for Extension of Time to File Response/Reply to the Court's Order to Show Cause by USA as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, MARKUS MALY, SHELLY STALLINGS.

[1 Attachment ▼](#)

[225](#)06/23/2023NOTICE OF APPEAL - Final Judgment by MARKUS MALY Fee Status: No Fee Paid. Parties have been notified.

[226](#)06/22/2023JUDGMENT as to MARKUS MALY. Statement of Reasons Not Included. Signed by Judge Amit P. Mehta on 6/22/2023. (zltp)

[227](#)06/22/2023STATEMENT OF REASONS as to MARKUS MALY. re 226 Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Judge Amit P. Mehta on 6/22/2023. (zltp)

[228](#)06/27/2023Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The fee was not paid as the defendant is represented by FPD as to MARKUS MALY re 225 Notice of Appeal - Final Judgment. (zltp)

[230](#)07/06/2023NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, MARKUS MALY, SHELLY STALLINGS

[231](#)07/07/2023RESPONSE TO ORDER TO SHOW CAUSE by USA as to PETER SCHWARTZ, JEFFREY SCOTT BROWN, MARKUS MALY, SHELLY STALLINGS

09/08/2023MINUTE ORDER. The court is aware that the 90-day deadline in which to make an order of restitution under the Mandatory Victim Protection Act, 18 U.S.C. § 3663A, expired on September 7, 2023, as to Defendant Maly, who was sentenced on June 9, 2023. See 18 U.S.C. § 3664(d)(5). The court has taken the parties' submissions under advisement and will make a restitution determination as expeditiously as possible as to Defendant Maly. The court intends to make an award of restitution if it is convinced that there is a legal basis to make such an award. The court will also determine whether to vacate the restitution imposed upon Defendants Schwartz and Brown. Signed by Judge Amit P. Mehta on 09/08/2023. (lcapm2) (Text entry; no document attached.)