



U.S. Department of Justice

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Eastern District of New York*

RCH/SPN/HDM/CRH
F. #2018R01309

*271 Cadman Plaza East
Brooklyn, New York 11201*

March 21, 2022

By ECF

The Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Rashid Sultan Rashid Al Malik Alshahhi, et al.
Criminal Docket No. 21-371 (BMC)

Dear Judge Cogan:

The parties respectfully submit this proposed joint agenda for the status conference in the above-captioned matter scheduled for March 22, 2022, at 5:00 p.m.

- Production of Rule 16 Material: The government continues to produce discoverable material to the defendants on a rolling basis pursuant to Federal Rule of Criminal Procedure 16. Since the last status conference in this matter, the government has made four additional productions. At this stage, the government has produced the vast majority of discoverable material currently in its possession. The government will continue to collect, review and produce new discoverable material on a rolling basis as it comes into the government's possession. The parties have also conferred regarding various discovery-related requests and will continue to do so.
- Motion to Compel Discovery: Mr. Barrack has filed a motion to compel discovery and asks that the Court set a briefing schedule and hearing date on the motion.
- Motion for a Curcio Hearing: On March 15, 2022, the government filed a letter advising the Court of a potential conflict of interest involving counsel for the defendant Thomas Barrack. See Dkt. No. 86. Mr. Barrack will respond to the government's letter on or before March 25, 2022. The government respectfully requests that, once the Court has received Barrack's response, the Court set a date for a hearing pursuant to United States v. Curcio, 680 F.2d 881 (2d Cir. 1982), and determine whether Mr. Barrack waives these potential conflicts. Mr. Barrack has advised that he has retained independent counsel, who will appear at the hearing.

