1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	Mark J. Geragos (SBN 108325) Tina Glandian (SBN 251614) Setara Qassim (SBN 283552) GERAGOS & GERAGOS APC 644 South Figueroa Street Los Angeles, CA 90017-3411 Telephone: (213) 625-3900 Facsimile: (213) 232-3255 Angela M. Machala (SBN: 224496) AMachala@winston.com WINSTON & STRAWN LLP 333 S. Grand Avenue, 38th Fl. Los Angeles, CA 90071-1543 Telephone: (213) 615-1700 Facsimile: (213) 615-1750 Abbe David Lowell (admitted pro hac vice) AbbeLowellPublicOutreach@winston.com Christopher D. Man CMan(@winston.com WINSTON & STRAWN LLP 1901 L Street NW Washington, DC 20036-3508 Telephone: (202) 282-5000 Facsimile: (202) 282-5100 Attorneys for Robert Hunter Biden	
16	UNITED STATES DISTRICT COURT	
17	CENTRAL DISTRICT OF CALIFORNIA	
18	UNITED STATES	Case No. 2:23-CR-00599-MCS-1
19	Plaintiff,	Hon. Mark C. Scarsi
20	VS.	DECLARATION OF MARK
21	ROBERT HUNTER BIDEN,	GERAGOS AND SUPPORTING EXHIBITS
22	Defendant.	
23		Date: August 5, 2024 Time: 3:00 p.m. Place: Courtroom 7C
24		Trace. Courtroom / C
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DECLARATION OF MARK J. GERAGOS

I, Mark J. Geragos, declare as follows:

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- 1. I am the Principal of Geragos & Geragos APC, counsel for Defendant Robert Hunter Biden in the above-captioned matter. I am licensed to practice before all of the Courts of the State of California and am admitted to practice before the United States District Court for the Central, Eastern and Northern Districts of California. I have personal knowledge of the facts set forth herein and, if called as a witness, I could and would testify to such matters.
- 2. I submit this declaration in support of Defendant's motion to dismiss the indictment for lack of jurisdiction.
- 3. Attached hereto as Exhibit A is a true and correct copy of a news article I accessed online at Politico's website on July 17, 2024 authored by Betsy Woodruff Swan and entitled *Federal prosecutor to Congress: I didn't hinder Hunter Biden probe*, available at https://www.politico.com/news/2023/10/27/hunter-biden-tax-charges-california-00124037.
- 4. Attached hereto as Exhibit B is a true and correct copy of a law review article I accessed online on the Wall Street Journal's website on July 18, 2024 authored by Brett M. Kavanaugh and entitled *The President and the Independent* Counsel, 86 Geo. L.J. 2133, 2136-37 (1998),available at https://www.wsj.com/public/resources/ documents/2018 0628 kavanaugh 1998 president independent counsel.pdf, and on Westlaw.
- 5. Attached hereto as Exhibit C is a true and correct copy of the Office of the Attorney General Appointment Order of David C. Weiss as Special Counsel, Order No. 5730-2023, *available at* https://www.justice.gov/d9/2023-08/order.appointment of david c. weiss as special counsel.pdf.

- 6. Attached hereto as Exhibit D is a true and correct copy of the Office of the Attorney General Appointment Order of John L. Smith as Special Counsel, Order No. 5559-2022, *available at* https://www.justice.gov/opa/file/1553901/dl.
- 7. Attached hereto as Exhibit E is a true and correct copy of United States District Judge Aileen Cannon's July 15, 2024 Order in *United States v. Trump*, 2024 WL 3404555 (S.D. Fla. July 15, 2024), Docket Entry No. 672, which Defendant requests the Court take judicial notice of pursuant to Rule 201 of the Federal Rules of Evidence (a fact may be judicially noticed if it is "not subject to reasonable dispute" because it is either "generally known" within the court's territorial jurisdiction or "can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned."). *See Harris v. Cnty. of Orange*, 682 F.3d 1126, 1132 (9th Cir. 2012) ("We may take judicial notice of undisputed matters of public record, *Lee v. City of Los Angeles*, 250 F.3d 668, 689 (9th Cir.2001), including documents on file in federal or state courts."); *United States ex rel. Robinson Rancheria Citizens Council v. Borne*o, 971 F.2d 244, 248 (9th Cir.1992) ("[W]e 'may take notice of proceedings in other courts, both within and without the federal judicial system, if those proceedings have a direct relation to matters at issue."").

I declare under penalty of perjury according to the laws of the United States of America that the foregoing is true and correct based on my personal knowledge.

Executed on this 18th day of July, 2024 in New York, New York.

<u>/s/ Mark Geragos</u> MARK GERAGOS