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May 28, 2024

Via Email

Leo J. Wise
Principal Senior Assistant Special Counsel
Derek E. Hines
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Sean F. Mulryne
Christopher M. Rigali
Assistant Special Counsels
950 Pennsylvania Avenue NW, Room B-200
Washington, D.C. 20530

Re: United States v. Smirnov
Case No. 2:24-cr-00091-ODW

Dear Counsel:

Through this letter, we are following up on our March 5, 2024, written request for discovery. While we maintain pursuit of the requests made therein, and have not received all discovery requested, this letter is specific to the historical cooperation of Mr. Smirnov with the government. Specifically, we have not received all Form FD1023, and/or any other reports/documentation related to Mr. Smirnov's cooperation with the FBI or any other agency of the United States Government. This request was not limited in time frame. Further, we have not received evidence of Mr. Smirnov's communication with his FBI Handler, other than the limited number of Form FD 1023 that were provided. For example, we had requested full and complete copies of the FBI Handler's cell phone and email communications with Mr. Smirnov, including text messages and application based messages, for the entirety of their relationship. In addition, we had requested any records of compensation/payments made to Mr. Smirnov by the government, including the Department of Justice and/or FBI and/or any other law enforcement or government agency.

While there were numerous other requests that were made in our initial discovery demand, which have not been satisfied, our trial preparation is being stalled as a result of the government's failure to produce the above stated discovery.

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- Page 2-

Mr. Smirnov reserves all rights and remedies.

Thank you for your attention to this matter.

Sincerely,

CHESNOFF & SCHONFELD

A handwritten signature in blue ink, appearing to be a stylized name, possibly "David Z. Chesnoff".

David Z. Chesnoff, Esq.
Richard A. Schonfeld, Esq.