

1 DAVID C. WEISS
Special Counsel
2 LEO J. WISE
Principal Senior Assistant Special Counsel
3 DEREK E. HINES
Senior Assistant Special Counsel
4 950 Pennsylvania Avenue NW, Room B-200
5 Washington, D.C. 20530
6 Telephone: (771) 217-6091
7 E-mail: LJW@USDOJ.GOV, DEH@USDOJ.GOV

8 Attorneys for Plaintiff
9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 ALEXANDER SMIRNOV,

16 Defendant.
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No. CR 2:24-cr-00091-ODW

**DECLARATION OF DEREK E. HINES
IN SUPPORT OF GOVERNMENT'S
OPPOSITION TO DEFENDANT'S
SECOND EX PARTE APPLICATION
FOR A CONTINUANCE OF TRIAL**

DECLARATION OF DEREK E. HINES

I, Derek E. Hines, declare as follows:

1. I am an attorney of record for the United States in the above-captioned case. I have personal knowledge of the matters contained in this declaration and, if called as a witness to testify, I would competently testify to them. This declaration is offered in support of the government’s opposition to the defendant’s second ex parte application for an order continuing the trial date. ECF 159.
2. On October 16, 2024, the defendant filed a motion to compel the production of certain discovery, ECF 139. In an effort to resolve disputes and avoid wasting the Court’s time, the government produced some additional materials on October 25, 2024, rather than waiting to disclose the discovery with the other Jencks materials one week before trial. This production included approximately 420 reports documented on a form “1023,” which consisted of a total of approximately 739 pages.
3. The defendant filed his second ex parte application for an order continuing the trial date on November 4, 2024. In his motion, the defendant contends he needs a continuance of four months in order to review the 420 reports in the production.
4. On November 5, 2024, I read and reviewed all 420 reports in less than 4 hours while preparing the government’s response to the Motion. The majority of the reports are 1 page in length, and in some instances, include only a couple of sentences on each page. Approximately 366 of the reports are 1-2 pages in length. Approximately 47 of the reports are 3-4 pages in length. Approximately 7 of the reports are 5 pages or more in length.

Executed on this 5th day of November, 2024 in the Commonwealth of Pennsylvania.



Derek E. Hines

Senior Assistant Special Counsel