

1 DAVID Z. CHESNOFF, ESQ.
 2 *Pro Hac Vice* pending
 3 RICHARD A. SCHONFELD, ESQ.
 4 California Bar No. 202182
 5 CHESNOFF & SCHONFELD
 6 520 South Fourth Street
 7 Las Vegas, Nevada 89101
 8 Telephone: (702) 384-5563
 9 rschonfeld@cslawoffice.net
 10 dzchesnoff@cslawoffice.net
 11 Attorneys for Defendant, ALEXANDER SMIRNOV

12 UNITED STATES DISTRICT COURT
 13 CENTRAL DISTRICT OF CALIFORNIA

14 * * * * *

15 UNITED STATES OF AMERICA,)	
)	
16 Plaintiff,)	
)	CASE NO. 2:24-CR-00091-ODW
17 v.)	
)	
18 ALEXANDER SMIRNOV,)	DATE OF HEARING:
)	February 26, 2024
)	TIME OF HEARING: 9:00 a.m.
19 Defendant,)	
20 _____))	

21 **DEFENDANT’S SUPPLEMENT TO OPPOSITION TO GOVERNMENT’S**
 22 **APPLICATION FOR REVIEW OF MAGISTRATE JUDGE’S BAIL**
 23 **ORDER**

24 COMES NOW, Defendant, ALEXANDER SMIRNOV (“Mr. Smirnov”), by
 25 and through his attorneys, DAVID Z. CHESNOFF, ESQ., and RICHARD A.
 26 SCHONFELD, ESQ., of the law firm of CHESNOFF & SCHONFELD and hereby
 27
 28

1 files his Supplement to Opposition (ECF 33) to Government's Application for
2 pretrial Detention (ECF No. 11).
3

4 Dated this 26th day of February, 2024.

5 Respectfully Submitted:

6
7 CHESNOFF & SCHONFELD

8 /s/ Richard A. Schonfeld

9 DAVID Z. CHESNOFF, ESQ.

10 *Pro Hac Vice* pending

11 RICHARD A. SCHONFELD, ESQ.

12 California Bar No. 202182

13 520 South Fourth Street

14 Las Vegas, Nevada 89101

15 Telephone: (702)384-5563

16 rschonfeld@cslawoffice.net

17 dzchesnoff@cslawoffice.net

18 Attorneys for Defendant

19 ALEXANDER SMIRNOV
20
21
22
23
24
25
26
27
28

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **A. THIS HONORABLE COURT CAN IMPOSE ADDITIONAL**
3 **CONDITIONS OF RELEASE WHICH DO NOT REQUIRE**
4 **DEFENDANT TO BE DETAINED PENDING TRIAL**

5 United States Pretrial Services Officer Fernando Basulto, from the Central
6 District of California, performed additional investigation so that a recommendation
7 regarding custodial status could be made to this Honorable Court. Officer Basulto,
8 similar to United States Pretrial Services Officer Emily McKillip in the District of
9 Nevada, has recommended that Mr. Smirnov be released on conditions.
10
11

12 In the event that this Honorable Court continues to have concerns regarding
13 Mr. Smirnov’s alleged risk of flight, and considering that this is not a presumption
14 case under 18 U.S.C. section 3142, Mr. Smirnov respectfully proposes that the Court
15 could impose the following additional conditions:
16

- 17
- 18 • Corporate Surety bond;
 - 19 • Appointment of Diana Lavrenyuk as third-party custodian;
 - 20
 - 21 • House arrest with the exception that Defendant can meet with his legal
22 counsel and medical providers;
 - 23
 - 24 • Financial restrictions, such as appointment of a Special Master over the
25 corporate account that Mr. Smirnov has access to and/or requiring that
26 a different partner in the business act as signatory; and
27
28

- Execution of a Waiver of Extradition. It should be noted that Counsel Chesnoff confirmed with Ziv Bilaus, counsel for consular affairs at the Israeli Consulate in Los Angeles, that if the Court requests that the Israeli consulate(s) and Embassy not reissue a passport, they can honor the request.

Accordingly, conditions can be fashioned to ensure that Defendant is present for the court proceedings and trial in this case.

DATED this 26th day of February, 2024.

Respectfully Submitted:

CHESNOFF & SCHONFELD

/s/ Richard A. Schonfeld
DAVID Z. CHESNOFF, ESQ.
Pro Hac Vice pending
RICHARD A. SCHONFELD, ESQ.
California Bar No. 202182
520 South Fourth Street
Las Vegas, Nevada 89101
Telephone: (702)384-5563
rschonfeld@cslawoffice.net
dzchesnoff@cslawoffice.net
Attorneys for Defendant
ALEXANDER SMIRNOV

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of February, 2024, I caused the forgoing document to be filed electronically with the Clerk of the Court through the CM/ECF system for filing; and served on counsel of record via the Court's CM/ECF system.

/s/ Rosemary Reyes
Employee of Chesnoff & Schonfeld

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28