

1 **DAVID M. MICHAEL, CSBN 74031**
2 **MICHAEL & BURCH LLP**
3 **One Sansome Street, Suite 3500**
4 **San Francisco, CA 94104**
5 **Telephone: (415) 946-8996**
6 **Facsimile: (877) 538-6220**
7 **E-mail: david@michaelburchlaw.com**

8 **Attorney for Defendant**
9 **EVGENI KOPANKOV**

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 UNITED STATES OF AMERICA,

13 **No. 19-CR-00178 VC**

14 Plaintiff,

15 **DEFENDANT’S MOTION FOR**
16 **MODIFICATION OF CONDITIONS**
17 **OF RELEASE**

18 v.

19 EVGENI KOPANKOV,

20 **Date: November 7, 2019**

21 Defendant.

22 **Time: 10:30 a.m.**

23 **Judge: Hon. Laurel Beeler**

24 **INTRODUCTION**

25 Defendant EVGENI KOPANKOV hereby requests that this Court modify his conditions
26 of pretrial release to remove both electronic monitoring and curfew.

27 **MEMORANDUM**

28 On April 3, 2019, Defendant Evgeni Kopankov was arrested for an alleged violation of
18 U.S.C. §1951- Interference with Commerce by Threat of Violence. At his detention hearings,
this Court found that the release of Mr. Kopankov, a United States citizen with no criminal
history, lawful employment in his own company based in Chicago, and ownership of property in
California, was appropriate.

This Court ordered the release of Mr. Kopankov with a number of conditions, including
the posting of a security bond by his wife, Maria, and the posting of his California real property,

1 all as security for his release. Mr. Kopankov does not ask for any modification of these two
2 conditions of release. In addition to the above, this Court also imposed a condition of electronic
3 monitoring and a curfew from 9:00 p.m. to 6:00 a.m. It is these two conditions that Mr.
4 Kopankov asks this Court to remove.

5 Mr. Kopankov has maintained his good behavior while on pretrial release and has obeyed
6 all the orders of this Court in that regards. The undersigned counsel has spoken to Mr.
7 Kopankov's Pretrial Service Officer, Denise Mancia, and has also been informed of the position
8 of Mr. Kopankov's Pretrial Service Officer in Chicago, Justin Wiersema. It is believed that both
9 Pretrial Service Officers will agree to the removal of the above conditions of release.

10 In addition, there are other good reasons for the removal of Mr. Kopankov's electronic
11 monitoring and curfew. Mr. Kopankov is the owner of a company, EK Group 07 Inc., a
12 traditional truck hauling business throughout Illinois and the surrounding areas. He has a number
13 of employees and contractors who are drivers for him. The conditions of electronic monitoring
14 and curfew, besides being unnecessary, has made it very difficult for Mr. Kopankov to conduct
15 his business, which operates at all hours of the day and night and involves the need for him to be
16 available for all unforeseen circumstances, such as going to a location to assist one of his drivers,
17 no matter when and at what time, as well as being available to help repair any damages or
18 breakdowns of the vehicles. That is his responsibility with his company.

19 Lastly, as determined at the prior hearing before this Court, Mr. Kopankov immigrated
20 from Bulgaria to the United States. He successfully became a US citizen and this Court has
21 possession of his US Passport. He has been married to his wife, Maria, in a stable relationship for
22 many years.

23 Based on the above, it is extremely unlikely that Mr. Kopankov poses a danger to the
24 community or is a flight risk that would necessitate electronic monitoring and curfew. It would
25 actually be in the best interests of society that Mr. Kopankov continue with his profession in a
26 successful manner and as a member of the community.
27

CONCLUSION

For the foregoing reasons, it is respectfully requested that this Court modify Mr. Kopankov's Conditions of Release to remove electronic monitoring and curfew.

Dated: November 6, 2019

Respectfully submitted,

s/David M. Michael
DAVID M. MICHAEL
Attorney for Defendant Evgeni Kopankov

CERTIFICATE OF SERVICE

I hereby certify that, on November 6, 2019, I caused to be electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to the following:

AUSA Neal Hong
Office of the U.S. Attorney
450 Golden Gate Avenue, 11TH Floor
San Francisco, California 94102
Neal.Hong@usdoj.gov

/ s/David M. Michael
DAVID M. MICHAEL