

# Exhibit A



Sheppard, Mullin, Richter & Hampton LLP

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A. Joseph Jay III

February 1, 2024

**VIA EMAIL**

The Honorable Randolph D. Moss  
United States District Court Judge  
U.S. District Court for the District of Columbia  
333 Constitution Avenue, NW  
Washington, D.C. 20001

Re: United States v. Sterlingov, Case No. 21-cr-399 (RDM)

Dear Judge Moss:

As you know, we represent Ciphertrace, a wholly owned subsidiary of Mastercard International Incorporated (“Mastercard”). Defense counsel engaged Ciphertrace as an expert in the matter of *U.S. vs. Sterlingov*, 21-cr-399 (RDM). Ciphertrace prepared an expert report (the “Ciphertrace Report”), and a Ciphertrace employee, Ms. Jonelle Still, testified at a *Daubert* hearing before the Court in August 2023.

It recently came to Mastercard’s attention that, contrary to the wording of the Ciphertrace Report, some of the data relied upon may be unverifiable and unauditible. This issue was unknown to Ms. Still at the time of the Report and appears to be due to data collection practices originating prior to Mastercard’s acquisition of Ciphertrace. It also appears that at least some of the data relied upon in the Ciphertrace Report may have come from other companies, including Chainalysis. Mastercard has advised defense counsel of this matter and writes to bring it directly to the Court’s attention.

As soon as Mastercard counsel learned about the potential data issues, Mastercard launched an expedited, privileged investigation involving internal and outside counsel and an outside forensics team. This investigation is ongoing, but we have learned enough to conclude that parts of the Ciphertrace Report are unreliable.

We regret the unavoidable impact of this issue on the Defense, the Government, and, of course,

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this Court – especially with the fast approaching trial date. We stand ready to answer the Court's questions.

Respectfully,



A. Joseph Jay III  
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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