

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	<b>Criminal Case No. 21-582 (CRC)</b>
	:	
MICHAEL A. SUSSMANN,	:	
	:	
Defendant.	:	

**MOTION TO ADJOURN DEADLINE FOR THE GOVERNMENT’S CIPA SECTION  
FOUR SUBMISSION**

1. The United States of America, by and through its attorney, Special Counsel John H. Durham, respectfully moves the Court to adjourn the deadline to file the Government’s *in camera*, *ex parte* submission pursuant to Section 4 of the Classified Information Procedures Act (“CIPA”), 18 U.S.C. § App. 3. Pursuant to the Court’s pre-trial order, (*see* Docket No. 30), the Government’s CIPA Section 4 submission is currently due on March 11, 2022. The Government’s respectfully requests a two-week extension which would reset that deadline to March 25, 2022. The Government has consulted counsel for the defendant who does not oppose the request to the extent that the requested adjournment would not result in an adjournment of the trial date or any other associated deadlines.

2. As the Government previously advised the Court, the above-referenced case implicates classified information. To date, the Government is near completion of its review of the potentially discoverable classified information and has begun its preparation of a draft of its CIPA Section 4 memorandum. However, the Government’s submission includes not only the Government’s memorandum but also one or more supporting declarations from officials of the U.S.

intelligence community. The Government's review of potentially discoverable material is ongoing, and these officials cannot finalize their declarations until that review is complete.

3. Moreover, recent world events in Ukraine have further delayed the Government's review and the officials' preparation of the supporting declaration(s). As a result, the Government respectfully submits that a modest two-week adjournment request to its CIPA Section 4 filing deadline is appropriate and would not impact any other deadlines, to include the currently scheduled trial date. The Government is moving as expeditiously as possible and will file its CIPA Section 4 filing in advance of the proposed adjournment date should that be feasible.

**CONCLUSION**

For the foregoing reasons, the Government respectfully requests that the Court adjourn the deadline for the government to submit its CIPA Section 4 filing to March 25, 2022.

Respectfully submitted,

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SO ORDERED.

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THE HONORABLE CHRISTOPHER R. COOPER  
UNITED STATES DISTRICT JUDGE  
DISTRICT OF COLUMBIA