

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

IN RE APPLICATION OF POLITICO )  
LLC FOR ACCESS TO JUDICIAL )  
RECORDS ANCILLARY TO CERTAIN ) Case No. 1:25-mc-7-JEB (D.D.C.)  
GRAND JURY PROCEEDINGS )  
CONCERNING KASHYAP PATEL )

---

**GOVERNMENT’S MOTION FOR EX PARTE DISCLOSURE OF DOCUMENTS IN A  
GRAND JURY MATTER**

The government respectfully moves that the Court disclose certain documents from *In re Grand Jury Subpoena No. 63-13*, No. 22-gj-41 (D.D.C.) (the “grand jury matter”), to undersigned counsel, *ex parte* and under seal.

Undersigned counsel is counsel for the government in this matter, *In re Application of Politico LLC for Access to Judicial Records Ancillary to Certain Grand Jury Proceedings Concerning Kashyap Patel*, No. 1:25-mc-7-JEB (D.D.C.). In this matter, the petitioner requests “access to all judicial records pertaining to the Government’s motion to compel Kashyap (‘Kash’) Patel to comply with a grand jury subpoena that he received on or around September 19, 2022, as well as Patel’s motion to quash and related court filings.” Application, ECF No. 1, at 1. Specifically, petitioner seeks “the grand jury subpoena, Patel’s motion to quash that subpoena, the Government’s motion to compel Patel’s testimony, any briefing in support or opposition and all exhibits thereto, the transcript(s) of any hearing(s) on those motions, and any opinions or orders the Court issued adjudicating the motions.” *Id.* at 5-6.

Undersigned counsel attempted to obtain the records at issue from colleagues at the Department of Justice. Because the people most familiar with these records are no longer at the

Department, through the exercise of diligence, undersigned counsel was able to view only some of the records at issue, none of which were as-filed versions with the Court's ECF stamp.

The government wishes to submit to the Court proposed redactions for the requested records *ex parte* and under seal. However, undersigned counsel currently does not have access to some of the records at issue. Therefore, the government has a particularized need to use these materials in this judicial proceeding, as necessary for the Court to grant access under the Federal Rules of Criminal Procedure. *See United States v. Sells Engineering, Inc., et al*, 463 U.S. 418, 444 (1983); Fed. R. Crim. P. 6(e)(3)(E)(i).

The government previously filed a motion requesting disclosure of the docket sheet in the grand jury matter, *ex parte* and under seal. *See* ECF No. 7. The Court issued an order granting that motion. *See* Minute Order (Apr. 3, 2025). Pursuant to that order, the Court's staff disclosed the docket sheet for the grand jury matter to undersigned counsel, *ex parte* and under seal.

Having reviewed the docket sheet, the government now requests disclosure to undersigned counsel, *ex parte* and under seal, of the following documents from the grand jury matter: ECF Nos. 1, 1-1, 1-2, 1-3, 1-4, 1-5, 2, 2-1, 2-2, 2-3, 3, 3-1, 4, 5, 5-1, 6, 7, 8, 9, 9-1, 9-2, 9-3, 9-4, 9-5, 9-6, 9-7, 10, 10-1, 11, 12, 14, 14-1, 14-2, 14-3, 15, 16, 17, 18, 18-1, 18-2, 18-3, 19, 21, and 22. The government conferred with counsel for the petitioner, who indicated that petitioner consents to this motion.

Dated: April 15, 2025

Respectfully Submitted,

YAAKOV M. ROTH  
Acting Assistant Attorney General  
Civil Division

MARCIA BERMAN  
Assistant Branch Director  
Federal Programs Branch

/s/ Jeremy S.B. Newman  
JEREMY S.B. NEWMAN  
Trial Attorney  
United States Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street, N.W.  
Washington, DC 20005  
Tel: (202) 532-3114  
Fax: (202) 616-8470  
Email: jeremy.s.newman@usdoj.gov

*Attorneys for the United States*