IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

v.

ROBERT HUNTER BIDEN,

Defendant.

Criminal Action No. 1:23-cr-00061-MN

STATUS REPORT

Defendant Robert Hunter Biden files this Status Report to bring to the Court's attention the status of the case filed against him in Delaware and to address issues pending in this matter:

1. On April 11, 2024, the Court issued an Oral Order that the parties resubmit a proposed scheduling order using the Court's form by April 18, 2024 (DE 96).

2. Following that Order, the Court ruled on three of Mr. Biden's four pending motions to dismiss and other pending discovery-related motions. (DE 97 - 101).

3. Today, we filed a Notice of Appeal of some of the Court's rulings (those for which Third Circuit law provides such interlocutory review). In addition, we have conferred with the Special Counsel's Office to discuss the pretrial schedule in light of both the Notice—certain proposed dates for which there would have been inadequate time to meet, even without the Notice of Appeal being filed—and also that the government's proposed pretrial schedule included more items than the Court's template order provided for. (DE 96).

4. Accordingly, in light of the April 18 deadline, Mr. Biden believes the parties would benefit from, and respectfully requests, a brief status conference with the Court to seek further clarity regarding a scheduling order in this matter. We reached out to the Special Counsel's Office

Case 1:23-cr-00061-MN Document 104 Filed 04/17/24 Page 2 of 3 PageID #: 2127

yesterday to seek their response to this request. They just responded that they would not agree to a status and then filed their version of the scheduling order without us. Mr. Biden's counsel is available at the Court's convenience.

Dated: April 17, 2024

Respectfully submitted,

Bartholomew J. Dalton (#808) DALTON & ASSOCIATES, P.A. 1106 West 10th Street Wilmington, DE 19806 Tel.: (302) 652-2050 BDalton@dalton.law <u>/s/ Abbe David Lowell</u> Abbe David Lowell Christopher D. Man WINSTON & STRAWN LLP 1901 L Street NW Washington, DC 20036 Tel.: (202) 282-5000 Fax: (202) 282-5100 AbbeLowellPublicOutreach@winston.com CMan@winston.com

Counsel for Robert Hunter Biden

Case 1:23-cr-00061-MN Document 104 Filed 04/17/24 Page 3 of 3 PageID #: 2128

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of April, 2024, I filed the foregoing Status Report with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

<u>/s/ Abbe David Lowell</u> Abbe David Lowell

Counsel for Robert Hunter Biden