

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

_____)	
UNITED STATES OF AMERICA,)	
)	
)	
v.)	
)	Criminal Action No. 23-mj-00274-MN
ROBERT HUNTER BIDEN,)	
)	
Defendant.)	
)	
_____)	

**DEFENDANT’S RESPONSE TO THE UNITED STATES’
MOTION TO DISMISS FOR LACK OF VENUE**

Defendant Robert Hunter Biden, by and through undersigned counsel, respectfully submits this response to the United States’ Motion to Dismiss for Lack of Venue. (D.I. 31).

Without adopting the Government’s reasoning, as venue for the existing information does not lie in this District, the information must be dismissed.

Further, the Defendant’s position is that the enforceability of the Diversion Agreement (D.I. 24-1 in No. 23-cr-00061-MN) has no bearing on the United States’ Motion to Dismiss for Lack of Venue (D.I. 31 in No. 23-mj-00274-MN), and any disputes regarding the effect of the Diversion Agreement are therefore not before the Court at this time.

Dated: August 15, 2023

Respectfully submitted,

WINSTON & STRAWN LLP

/s/ Abbe David Lowell

Abbe David Lowell
1901 L Street NW
Washington, D.C. 20036
(202) 282-5000
adlowell@winston.com

CLARK SMITH VILLAZOR LLP

Christopher J. Clark
250 West 55th Street, 30th Floor
New York, NY 10019
(212) 582-4400
clark@csvgllp.com

LATHAM & WATKINS LLP

Brian C. McManus
Matthew S. Salerno
Timothy H. McCarten
555 Eleventh Street NW, Suite 1000
Washington, D.C. 20004
(202) 637-2200
brian.mcmanus@lw.com
matthew.salerno@lw.com
timothy.mccarten@lw.com

BERGER HARRIS LLP

Richard I. G. Jones, Jr. (#3301)
1105 N. Market Street, Suite 1100
Wilmington, Delaware 19801
(302) 655-1140
rjones@bergerharris.com

Attorneys for Defendant Robert Hunter Biden