



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

August 8, 2023

BY ECF

Honorable Lewis A. Kaplan
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *United States v. Samuel Bankman-Fried*, S5 22 Cr. 673 (LAK)

Dear Judge Kaplan:

The Government writes to notify the Court and the defendant that it plans to seek a superseding indictment next week that will contain the seven counts that the Government intends to prove at trial in October, which were the first seven charges of the original Indictment (the "Trial Charges").¹

The superseding indictment will make clear that Mr. Bankman-Fried remains charged with conducting an illegal campaign finance scheme as part of the fraud and money laundering schemes originally charged. The defendant's use of customer deposits to conduct a political influence campaign was part of the wire fraud scheme charged in the original indictment. And as part of the originally charged money laundering scheme, the defendant also concealed the source of his fraudulent proceeds through political straw donations. As the Government will outline in its forthcoming motions *in limine*, the evidence of the defendant's campaign finance conduct is

¹ As the Court is aware, the Government is prevented by its treaty obligations to the Bahamas from proceeding on Count Eight of the original Indictment, after the Bahamas stated that the defendant's criminal campaign finance scheme was deliberately omitted from its extradition.

admissible at trial as direct proof of the Trial Charges.²

Respectfully submitted,

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Cc: Defense Counsel (by ECF)

² This evidence is also admissible under Federal Rule of Evidence 404(b) as proof of the defendant's criminal motive and intent.