



COHEN & GRESSER LLP

800 Third Avenue
New York, NY 10022
+1 212 957 7600 phone
www.cohengresser.com

Mark S. Cohen
+1 (212) 957-7600
mcohen@cohengresser.com

Christian R. Everdell
+1 (212) 957-7600
ceverdell@cohengresser.com

December 20, 2023

VIA ECF

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Samuel Bankman-Fried*, S6 22 Cr. 673 (LAK)

Dear Judge Kaplan:

On behalf of our client, Samuel Bankman-Fried, we respectfully submit this letter to request a short four to six-week adjournment of the sentencing hearing in the above-captioned case. Sentencing is currently scheduled for March 28, 2024. The first and second disclosures of the Presentence Investigation Report (“PSR”) are scheduled for January 5, 2024, and February 2, 2024, respectively. The presentence interview of Mr. Bankman-Fried is scheduled for this Thursday, December 21, 2023.

The defense requires the additional time to collect materials necessary for the sentencing submission and to prepare for the presentence interview. In addition, trial on the severed counts of the indictment is still set for March 11, 2024. The Government has not yet decided whether it intends to proceed on those counts. We submit that Mr. Bankman-Fried should not begin the sentencing process on the counts of conviction, including the presentence interview, until the severed counts are resolved. Doing so could potentially result in a separate PSR and a separate sentencing hearing on conduct that was already part of the Government’s proof at trial. For fairness and efficiency, the Court should consider the relevant conduct all at once in a single sentencing hearing.

For these reasons, the defense respectfully requests that the Court adjourn the sentencing hearing to a date convenient for the Court in early-mid May 2024. We also ask that the Court postpone the dates for the first and second disclosure of the PSR by an equivalent amount of time.

This is the defendant’s first request to adjourn the sentencing hearing. The defense contacted the Government to obtain its consent but has not yet received a response.

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Respectfully submitted,

/s/ Christian R. Everdell

Mark S. Cohen
Christian R. Everdell
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800 Third Avenue, 21st Floor
New York, New York 10022
(212) 957-7600
mcohen@cohengresser.com
ceverdell@cohengresser.com

cc: All counsel of record (via ECF)