



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor*

March 22, 2024

BY ECF

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

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

Dear Judge Kaplan:

The Government submits the enclosed proposed stipulation and order (the “Stipulation and Order”), related to two airplanes described in the bill of particulars filed on October 4, 2023. Dkt. No. 314. The Stipulation and Order represents an agreement between the Government; Island Air Capital, Capital Peak Aviation, and Paul Aranha (collectively “IAC”), who currently possess one of the planes, an Embraer Legacy, in The Bahamas; the FTX Debtors; and Ryan Salame.¹ Under the primary terms of the Stipulation and Order, IAC agrees to withdraw litigation previously filed against the FTX Debtors, Stipulation and Order ¶ 1; agrees to fly the Legacy to the United States and surrender the plane to the custody of the Government, Stipulation and Order ¶ 2; and the Government agrees to pay IAC reasonable costs for its maintenance of the two airplanes before they were seized by the Government and for costs associated with transporting the Legacy to the United States, Stipulation and Order ¶¶ 5–8. The Government also seeks authorization from the Court to approve interlocutory sale of the airplanes pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and Rule G(7) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. Stipulation and Order ¶ 3.

¹ The Government also provided a copy of the stipulation and order to the defendant Samuel Bankman-Fried. Bankman-Fried and his counsel have not objected to the stipulation and order.

The Government is available to answer any questions the Court may have.

Respectfully submitted,

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cc: Counsel (by ECF)