

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : (S4) 23-Cr-490 (SHS)

-v- :

ROBERT MENENDEZ, NADINE MENENDEZ, : ORDER

Wael HANA, and FRED DAIBES, :

Defendants. :

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SIDNEY H. STEIN, U.S. District Judge.

A pretrial conference having been held today, with counsel for all parties present and all counsel having waived their client's appearances,

IT IS HEREBY ORDERED that for the reasons set forth on the record,

1. The trial as to defendant Nadine Menendez will take place on July 8, 2024, at 9:30 a.m. in Courtroom 23A;
2. The government's motion to adjourn the May 6 trial date is denied;
3. There will be a pretrial conference as to Nadine Menendez on June 3, 2024, at 10:00 a.m.;
4. Nadine Menendez shall obtain new counsel within 30 days from today;
5. The motions to dismiss for failure to adequately allege venue are denied;
6. The motions to transfer venue to the District of New Jersey are denied;
7. The motions for a bill of particulars by Menendez and Hana are denied;
8. The motions to sever as to Nadine Menendez and Robert Menendez are dismissed as moot, since the Court has severed Nadine Menendez and rescheduled her trial;
9. The motions to sever as to the remaining defendants are denied;
10. Hana's motion to dismiss Count 15 and strike paragraph 15 of the Indictment is denied;

11. The motions to dismiss various counts of the Indictment for failure to allege an official act and for failure to allege a *quid pro quo* are denied;

12. The motions to dismiss the Indictment on the basis of duplicity are denied;

13. The motion to dismiss the conspiracy counts on the basis of multiplicity is denied;

14. At the request of the government, and with the consent of each defendant, the time is excluded from calculation under the Speedy Trial Act from today until July 8, 2024, as to defendant Nadine Menendez. The Court finds that the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial pursuant to 18 U.S.C. § 3161(h)(7)(A); and

15. Accordingly, the Clerk of Court is directed to terminate the following motions in this matter: 119, 129, 131, 136, 139, 259, and 262.

Dated: New York, New York
April 11, 2024

SO ORDERED:



Sidney H. Stein, U.S.D.J.