

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA,)	
)	
<i>Plaintiff</i>)	
)	
v.)	Case No. 4:21-cr-00005-O-1
)	
THE BOEING COMPANY,)	
)	
<i>Defendant.</i>)	
_____)	

**NOTICE BY NAOISE CONNOLLY RYAN, ET AL. OF INTENT TO EXERCISE CVRA
RIGHT TO BE HEARD IN OPPOSITION TO PROPOSED PLEA AND REQUESTING
TIME TO CONFER ON A BRIEFING SCHEDULE**

Naoise Connolly Ryan et al.¹ (the “victims’ families” or “families”), through undersigned counsel, file this notice regarding the Government’s status report indicating that it has reached a plea agreement with Boeing (ECF No. 204). The victims’ families intend to exercise their Crime Victims’ Rights Act (CVRA) right to be heard in opposition to the proposed plea, under 18 U.S.C. § 3771(a)(4). *See In re Ryan et al.*, 88 F.4th 614, 627 (5th Cir. 2023) (holding that when a guilty plea is submitted for court approval that approval process automatically “would require that victims [are] heard”). The families intend to argue that the plea deal with Boeing unfairly makes concessions to Boeing that other criminal defendants would never receive and fails to hold Boeing accountable for the deaths of 346 persons. *Cf.* ECF No. 185 (“Boeing’s crime may

¹ In addition to Ms. Ryan, the other victims’ family members filing this motion are Emily Chelangat Babu and Joshua Mwazo Babu, Catherine Berthet, Huguette Debets, Luca Dieci, Bayihe Demissie, Sri Hartati, Zipporah Kuria, Javier de Luis, Nadia Milleron and Michael Stumo, Chris Moore, Paul Njoroge, Yuke Meiske Pelealu, John Karanja Quindos, Guy Daud Iskandar Zen S., and others similarly situated.

properly be considered the deadliest corporate crime in U.S. history”). As a result, the generous plea agreement rests on deceptive and offensive premises.

At the upcoming hearing regarding the plea, families intend to ask the Court to reject the plea pursuant to its authority under Fed. R. Crim. P. 11(e). It will expedite the families’ presentation if they can file advance briefing on the reasons the Court should reject the plea and coordinate to avoid duplicative briefing and statements. The Government’s status report indicates that they are asking the Court to delay setting a scheduling order until at least July 12, 2024. The families join in that request in order to give the families’ counsel an opportunity to confer with other counsel in the case about proposing to the Court a mutually agreeable briefing schedule.

Dated: July 7, 2024

Respectfully submitted,

/s/ Darren P. Nicholson

Warren T. Burns
Texas Bar No. 24053119
Darren P. Nicholson
Texas Bar No. 24032789
Kyle K. Oxford
Texas Bar No. 24095806
BURNS CHAREST LLP
900 Jackson Street, Suite 500
Dallas, Texas 75202
Telephone: (469) 904-4550
wburns@burnscharest.com
dnicholson@burnscharest.com
koxford@burnscharest.com

/s/ Paul G. Cassell

Paul G. Cassell (Utah Bar No. 06078)
(Counsel of Record)
Utah Appellate Project
S.J. QUINNEY COLLEGE OF LAW
University of Utah
cassellp@law.utah.edu
(no institutional endorsement implied)

Tracy A. Brammeier
CLIFFORD LAW OFFICES PC
tab@cliffordlaw.com

Erin R. Applebaum
KREINDLER & KREINDLER LLP
eapplebaum@kreindler.com

Pablo Rojas
PODHURST ORSECK PA
projas@podhurst.com

Attorneys for Victims’ Families

CERTIFICATE OF SERVICE

I certify that on July 7, 2024, the foregoing document was served on the parties to the proceedings via the Court's CM/ECF filing system.

/s/ Paul G. Cassell

Paul G. Cassell