

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

United States of America

v.

313 South Royal Street, Alexandria, VA

Case No. 1:26-sw-54

**MEMORANDUM OF LAW IN SUPPORT OF MOVANTS' MOTION
FOR STANDSTILL ORDER AND EXPEDITED BRIEFING AND HEARING
ON MOVANTS' MOTION TO INTERVENE AND FOR RETURN OF PROPERTY**

Movants WP Company LLC d/b/a The Washington Post ("The Post") and Hannah Natanson, by their undersigned counsel and in support of their Motion for Standstill Order and Expedited Briefing and Hearing on Movants' Motion To Intervene and for Return of Property, state as follows:

BACKGROUND

On Wednesday, January 14, 2026, FBI agents raided the home of Washington Post reporter Hannah Natanson and seized a massive volume of electronic data. Memorandum of Law in Support of Motion To Intervene and for Return of Property at 2. Since then, the government has stated its intention to start reviewing the contents of the electronic devices seized, which include Natanson's work laptop, personal laptop, work phone, and recording device used for reporting. *See* Latcovich Decl. at ¶ 17; *id.*, Ex. B (Receipt of Property). Those devices contain troves of writings, draft articles, notes, communications, and impressions protected by the First Amendment and also contain information protected by the attorney-client privilege. Memorandum in Support of Motion To Intervene and for Return of Property at 2-3.

The day the FBI raided Natanson's residence, undersigned counsel reached out to the government to advise that the seized items contain materials protected by the First Amendment and the attorney-client privileges. *See* Latcovich Decl. at ¶ 9; *id.*, Ex. E (Email). Undersigned counsel asked the government to refrain from reviewing the documents pending judicial resolution of the dispute, but the government refused. *See id.* at ¶¶ 14-17.

ARGUMENT

Local Civil Rule 7(F)(1) sets forth the briefing schedule for motions in this District “unless otherwise directed by the Court.” Good cause exists for the Court to issue a standstill order and grant an expedited briefing schedule and hearing on Natanson and The Posts’s Motion To Intervene and for Return of Property. Without an immediate standstill order from the Court, the government will commence an unrestrained search of a journalist’s work product that violates the First Amendment and the attorney-client privilege, ignores federal statutory safeguards for journalists, and threatens the trust and confidentiality of sources. *See generally* Memorandum of Law in Support of Motion To Intervene and for Return of Property. The injurious effect that this search will have necessitates swift action.

In similar cases involving the seizure of privileged information “the government has voluntarily delayed review for a brief time until the court could schedule a hearing.” *In re Search Warrant Issued June 13, 2019*, 942 F.3d 159, 184 (4th Cir. 2019) (Rushing, J., concurring). Natanson and The Post asked the government to agree to a “sensible procedure” that would “preserve[] the status quo” until this Court rules on their Motion To Intervene and for Return of Property. *See* Latcovich Decl. at ¶¶ 14-17. The government refused. *See id.*

CONCLUSION

Natanson and The Post respectfully request that this Court enter the attached Proposed Order To Standstill, ordering the government to not commence the review of any seized materials, barring the government from any such review pending a ruling from this Court on Movants' Motion To Intervene and for Return of Property, and ordering the parties to comply with the Court's forthcoming expedited schedule for briefing and hearing on that motion.

Dated: January 21, 2026

Respectfully submitted,

/s/ Simon Latcovich

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CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2026, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Virginia, using the electronic case filing system of the court.

/s/ Simon Latcovich
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Counsel for the Washington Post