

Magistrate Judge Brian A. Tsuchida

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHANGPENG ZHAO, aka “CZ,”

Defendant.

No. CR23-179 RAJ

**UNITED STATES’ MOTION
TO MODIFY BOND**

*Note on Motion Calendar:
March 7, 2024*

Consistent with the District Court’s December 7 and December 29, 2023 rulings (Dkt. 46, 50), the United States moves under 18 U.S.C. § 3142(c)(3) to modify Defendant Changpeng Zhao’s bond (Dkt. 33). In the December 7 order, Judge Jones reversed this Court’s ruling on Zhao’s presentence travel. And in the December 29 hearing, Judge Jones reaffirmed that Zhao must remain in the continental United States through sentencing. Because Judge Jones has ordered Zhao to remain in the United States and under Pretrial Services supervision through sentencing, the bond should be revised to reflect those orders.

The revisions below effectuate Judge Jones’s orders. Since those orders, the government has discussed the revisions with Zhao’s counsel several times in an effort to submit a joint or stipulated motion. Despite those discussions, Zhao’s counsel object to this motion as written.

1 To revise the appearance bond to comply with Judge Jones’s orders, this Court
2 should strike the current bond (Dkt. 33) and issue a new bond with these modifications:

- 3
- 4 • Both conditions listed under “Other Special Conditions” should be deleted.
 - 5 • These new special conditions should be added:
 - 6 1. Defendant must remain in the continental United States through the
7 imposition of sentence.¹
 - 8 2. Defendant must notify Pretrial Services and the government of any travel
9 within the continental United States at least three days before the travel so
10 that Pretrial Services and the government may raise objections, if any, with
11 the Court.
 - 12 3. Defendant must surrender his current Canadian passport to a third-party
13 custodian employed and supervised by his counsel of record. The third-party
14 custodian must retain control over that Canadian passport and must
15 accompany Defendant on any travel that requires identification documents.
16 Defendant must surrender all other current and expired passports and travel
17 documents to his counsel of record, who may return those documents to
18 defendant only with authorization from Pretrial Services or the Court.
19 Defendant may not apply for or obtain a new passport or travel document
20 from any country without the Court’s permission.
 - 21 4. Defendant must maintain his residence as directed. Defendant may not
22 change his place of residence without prior approval of Pretrial Services or
23 unless and as directed by Pretrial Services.²

24 All other bond conditions should remain unchanged.

25 ///

26 ///

27 ///

///

26 ¹ Pretrial Services has informed the government that it recommends a travel-restriction condition that would
27 limit Zhao’s travel to the Western District of Washington and the district in which he resides.

² Pretrial Services also recommends a location-monitoring condition.

1 February 23, 2024

Respectfully submitted,

2
3 MARGARET MOESER
4 Acting Chief
5 Money Laundering and Asset
6 Recovery Section
7 Criminal Division
8 U.S. Department of Justice

TESSA M. GORMAN
United States Attorney
Western District of Washington

9 s/ Kevin G. Mosley
10 KEVIN G. MOSLEY
11 ELIZABETH R. CARR
12 Trial Attorneys

s/ Michael Dion
MICHAEL DION
JONAS LERMAN
Assistant United States Attorneys

*I certify that this pleading contains 404
words, in compliance with the Local
Criminal Rules*

13 JENNIFER KENNEDY GELLIE
14 Executive Deputy Chief
15 performing the duties of Chief
16 Counterintelligence and Export
17 Control Section
18 National Security Division
19 U.S. Department of Justice

20 s/ Beau D. Barnes
21 BEAU D. BARNES
22 ALEX WHARTON
23 Trial Attorneys