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8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 NELLI KESOYAN,
 15 Defendants.
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CASE NO. 2:15-CR-00236-GEB
**STIPULATION AND PROPOSED ORDER
 REGARDING EARLY PRODUCTION OF
 GRAND JURY TESTIMONY**

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 18 **STIPULATION**

19 The United States, through Assistant United States Attorneys Nirav K. Desai and Jeremy J.
 20 Kelley, and defendant Nelli Kesoyan, through her counsel Alan J. Donato, hereby stipulate to the
 21 following:

- 22 1. This matter is currently set for trial before this Court on January 23, 2018.
- 23 2. To the extent that any of the witnesses who the United States will call in its case-in-chief
 24 have previously testified before the Grand Jury regarding the subject-matter of their testimony, the
 25 transcripts of their testimony would fall within the provisions of the Jencks Act, 18 U.S.C. § 3500, *et*
 26 *seq.*
- 27 3. In order to facilitate the efficient presentation of evidence by both parties, the parties

1 believe it is in the interests of justice to permit early disclosure of any Grand Jury testimony subject to
2 the Jencks Act.

3 4. Accordingly, the parties hereby agree that pursuant to Rule 6(e)(3)(E)(1) of the Federal
4 Rules of Criminal Procedure and upon order of the Court, a proposed version of which is attached, the
5 United States shall be permitted to produce to counsel for the defendant a copy of any Grand Jury
6 testimony of any witness that the United States intends to call as a witness in its case-in-chief.

7 5. The parties further agree and stipulate that any such Grand Jury transcripts produced by
8 the United States shall be used only with respect to the above-captioned criminal trial, and counsel for
9 the defendant shall not disclosure or provide copies of such transcripts, or summaries of their contents,
10 to any individuals other than the defendant or any individuals that counsel has retained for the defense in
11 this case. Nothing in this provision limits the ability of counsel to use the transcripts, or portions
12 thereof, in official proceedings before this Court, including trial

13
14 IT IS SO STIPULATED.

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16 Dated: December 15, 2017

PHILLIP A. TALBERT
United States Attorney

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18 /s/ JEREMY J. KELLEY

NIRAV K. DESAI
JEREMY J. KELLEY
Assistant United States Attorneys

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21 Dated: December 15, 2017

/s/ ALAN J. DONATO

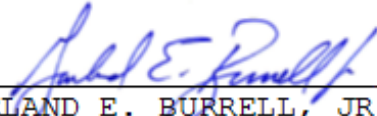
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28 ALAN J. DONATO
For Defendant Nelli Kesovan

ORDER

This matter came before the Court on the parties' Stipulation for Early Production of Grand Jury Testimony. For the reasons stated in the Stipulation, and for good cause appearing, the Court HEREBY ORDERS THAT, pursuant to Rule 6(e)(3)(E)(1) of the Federal Rules of Criminal Procedure, the United States is permitted to produce to the defendants copies of the transcripts of any Grand Jury testimony by any witness the United States presently intends to call as a witness at trial.

IT IS SO ORDERED.

Dated: December 15, 2017



GARLAND E. BURRELL, JR.
Senior United States District Judge