

United States District Court

EASTERN DISTRICT OF WISCONSIN

COURT MINUTES

HON. **Nancy Joseph**, presiding.

Deputy Clerk: Karen

DATE: **August 23, 2017**

Court Reporter:

CASE NO. **17-CR-124**

Time Called: 1:36:00

UNITED STATES v. **Marcus Hutchins**

Time Concluded: 1:57:49

PROCEEDING: **Status Conference**

UNITED STATES by: **Michael Chmelar**

ATTORNEY: **Brian Klein/Marcia Hofmann (by phone)**

The Government gives background of this case and notes that defendant Hutchins is the only party to appear thus far. The government will be following its open file policy. To date, the defendant has provided the defense with the following:

- 1 CD with post arrest statements
- CD with 2 audio recordings from the county jail in Nevada. (The government is awaiting a written transcript from the FBI.)

In addition, there are:

- 150 pages of Jabber chats between the defendant and an individual (somewhat redacted).
- Business records from Apple, Google and Yahoo.
- Statements (350 pages) to the defendant from another internet forum which were seized by the government in another District.
- 3-4 samples of malware
- A search warrant executed on a third party which may contain some privileged information.

The defense notes that it objects to the redaction of the Indictment. The parties agree that the case should be designated as complex. Information is still being obtained from multiple sources. The issues are complex. The defendant requests 45-60 days in which to review the discovery. The government notes that it is in agreement with the request.

Court statements. Based on the information presented here, the nature of the charges, the nature and amount of the discovery, the fact that discovery is coming from multiple sources and the fact that some of the information may need independent testing/review, the court will designate this matter **COMPLEX**.

The court sets a telephonic Status/Scheduling conference, for counsel only, for 10/13/17 at 11:30 a.m. (CST). If possible, prior to the hearing, the parties are to confer and submit to the court a proposed motion schedule.

The court makes a finding under the Speedy Trial Act. The period of time from today until 10/13/17 is deemed excludable.