

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA            )  
  )  
                  v.                        )     Crim No.13-10200-GAO  
  )  
DZHOKHAR A. TSARNAEV,                )  
                          Defendant     )

JOINT STATUS REPORT

The United States of America, by and through its undersigned counsel, with assent of the defendant, Dzhokhar Tsarnaev, hereby files this joint status report:

1. The government believes that automatic discovery is complete. The defense is in the process of reviewing the discovery and believes it is not complete. The defendant has not yet submitted any discovery requests.
2. The government is currently unaware of any additional discovery that it is required to produce. If it becomes aware of any, it will produce it promptly. The government also plans to provide courtesy copies of some discovery that so far has been made available only for inspection and review.
3. The defense will submit preliminary discovery requests on or before September 23, 2013.
4. A protective order has been entered by the Court.
5. In part because of its belief that automatic discovery is not complete, the defense is unable at this time to determine

what, if any, substantive pretrial motions it will need to file. Consequently, in keeping with the timing requirements contemplated by the Local Rules, the parties propose the following schedule. The government will respond to the defense's preliminary discovery requests on or before October 7, 2013. The defense will file a motion to compel (if needed), addressing those preliminary requests, on or before October 21, 2013. The government will file an opposition (if needed) on or before November 4, 2013. An interim status hearing will be held on or about November 12, 2013. At that time, the parties will address whether a deadline for filing pretrial motions can be set.

6. The defense believes the parties are not currently in a position to set a schedule for expert disclosures and therefore requests that no date for expert witness disclosures be set at this time. The government requests that the Court order the parties to disclose expert witness information to each other eight weeks before trial.

7. The defendant was indicted on June 27, 2013, and arraigned on July 10, 2013. Pursuant to Local Rule 112.2(a)(1), the period from arraignment to the Initial Status Conference conducted under Local Rule 116.5(a), may be excluded by written order, under 18 U.S.C. §§ 3161(h)(1)(D) & (H) and (h)(7)(A), to serve the ends of justice.

8. The parties request that the Court schedule an Interim Status Conference on November 12, 2013, or a date thereafter convenient to the parties and the Court.

9. The defense requests that the Court address issues relating to the timing and procedure for the death penalty protocol at the initial status hearing. See March 25, 2008 Memorandum from Hon. John Gleeson, attached.

Respectfully submitted,

CARMEN M. ORTIZ  
United States Attorney

By: /s/ William D. Weinreb  
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CERTIFICATE OF SERVICE

I certify that this document was filed on September 17, 2013, through the ECF system, which will provide electronic notice to counsel as identified on the Notice of Electronic Filing.

/s/ William D. Weinreb  
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Assistant U.S. Attorney