

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DEMOCRATIC NATIONAL COMMITTEE,	)	
	)	
Plaintiff,	)	Civil Action No. 1:18-cv-03501-JGK
	)	
v.	)	
	)	
THE RUSSIAN FEDERATION et al.,	)	
	)	
Defendants.	)	
	)	
	)	

**STATUS CONFERENCE STATEMENT**

In anticipation of the scheduled September 13, 2018 status conference (“Status Conference”), (*see* Dkt. No. 121), Plaintiff submits this statement regarding: (1) the status of service of process on the Defendants; and (2) a proposed schedule for filing Plaintiff’s Amended Complaint and the response(s) to it.

**I. Status of Service**

On April 20, 2018, Plaintiff filed its Complaint (Dkt. No. 1) and immediately began efforts to serve each of the Defendants: The Russian Federation (“Russia”); the General Staff of the Armed Forces of the Russian Federation (“GRU”); the GRU operative using the pseudonym “Guccifer 2.0” (“GRU Operative #1”); Aras Iskenerovich Agalarov (“Aras Agalarov”); Emin Araz Agalarov (“Emin Agalarov”); Joseph Mifsud (“Mifsud”); WikiLeaks, Julian Assange (“Assange”); Donald J. Trump for President, Inc. (“the Trump Campaign”); Donald J. Trump, Jr. (“Trump, Jr.”); Paul J. Manafort, Jr. (“Manafort”); Roger J. Stone, Jr. (“Stone”); Jared C. Kushner (“Kushner”); George Papadopoulos (“Papadopoulos”); and Richard W. Gates, III (“Gates”).

As detailed in Plaintiff's July 19, 2018, Status Report Regarding Service of Process, (Dkt. No. 147) (the "First Status Report"), Plaintiff has taken all necessary steps to serve Russia, the GRU, and GRU Operative #1 through the State Department. On September 4, 2018, the State Department notified Plaintiff that it expects the service documents to be transmitted to Moscow "imminently." The State Department further informed Plaintiff that, after the transmission of the documents, Moscow will return a certified copy of a diplomatic note of transmittal to the State Department, which will then forward the note to the clerk, a process that can take up to a few weeks. Plaintiff will continue to monitor developments and notify the Court once service has been effected.

Plaintiff believes that all other Defendants have now been served, with the exception of Mifsud (who is missing and may be deceased).<sup>1</sup> The Trump Campaign, Trump, Jr., Stone, and Papadopoulos signed service waivers. (First Status Report at 2). Plaintiff served Gates and Emin Agalarov at their homes, Assange at the Ecuadoran Embassy in London, and Kushner through his counsel. (*Id.* at 2-8). Additionally, Plaintiff served Manafort, Aras Agalarov, and WikiLeaks pursuant to Court orders. (*See* Dkt. No. 157).

All Defendants that have been served are represented by attorneys in this matter, with the exception of: Wikileaks, Assange, Gates, and Manafort. Each of these attorneys has entered a notice of appearance on behalf of his or her respective client in this matter, with the exception of Alan Futerfas, who represents Trump, Jr., and Scott Balber, who represents Aras and Emin Agalarov. (*See* Dkt. No. 167). Thus, these attorneys are unable to receive notifications by ECF.

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<sup>1</sup> Plaintiff continues to monitor news sources for any indicia of Mifsud's whereabouts and will attempt service on Mifsud if and when he is found alive.

## **II. Proposed Schedule Regarding Amended Complaint and Response(s)**

As set forth in detail in Plaintiff's August 31, 2018 letter motion, (Dkt. No. 162), Plaintiff seeks to amend its Complaint to incorporate new information from Special Counsel Robert Mueller's July 13, 2018 indictment of 12 Russian intelligence officers, news articles published after the Complaint was filed, and Plaintiff's cybersecurity consultants. On September 4, 2018, the Court granted Plaintiff's letter motion, (Dkt. No. 164), allowing the Status Conference to be used as a pre-motion conference for Plaintiff's application to file an Amended Complaint.

The Trump Campaign, Trump, Jr., Stone, Kushner, Papadopoulos, Emin Agalarov, and Aras Agalarov do not oppose Plaintiff's request to amend the complaint.<sup>2</sup> Subject to the approval of the Court, Plaintiff proposes the following omnibus schedule for filing its proposed Amended Complaint and Defendants' responses:

1. Plaintiff must file its Amended Complaint no later than thirty (30) days after the Status Conference.
2. Defendants must answer or otherwise respond to the Amended Complaint no later than 90 days after Plaintiff files it. If Defendants move to dismiss the Amended Complaint, Defendants must file an omnibus brief in support of their motions to dismiss. Defendants' omnibus brief shall not exceed 90 pages absent leave of Court.
3. In the event Defendants move to dismiss the Amended Complaint, Plaintiff must file its omnibus opposition brief no later than 90 days after Defendants file their motions to dismiss. Plaintiff's omnibus opposition shall not exceed 90 pages absent leave of Court.
4. Defendants must file their omnibus reply brief no later than 45 days after Plaintiff files its opposition brief. Defendants' omnibus reply shall not exceed 30 pages absent leave of Court.

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<sup>2</sup> Emin Agalarov does not oppose the request but he continues to contest the sufficiency of service. The Trump Campaign and Kushner consented to the amendment on the condition that they be given 90 days to answer, move, or otherwise respond to the Amended Complaint.

Dated: September 7, 2018

Respectfully submitted,

/s/ Joseph M. Sellers

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