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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Case No. 2:16-cr-00046-GMN-PAL

Plaintiff,

ORDER

v.

CLIVEN D. BUNDY, et al.,

Defendants.

This matter is before the court to determine whether this case should be designated as complex within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii).

Nineteen Defendants are charged in a 16 count Superseding Indictment (Dkt. #27). Most, but not all, Defendants have made an initial appearance and have been arraigned. All of the Defendants who have appeared in this action have been joined for trial pursuant to the provisions of the Speedy Trial Act. The trial date is currently set for May 2, 2016, with calendar call on April 25, 2016. At initial appearances and arraignments and pleas, the court inquired whether the government regarded this as a complex case which would require special scheduling review. Government counsel stated that the case was complex because of the nature of the charges, the length of the investigation, the number of witnesses interviewed in the investigated, and the amount of discovery the government collected which is voluminous. Specifically, government counsel stated that in excess of 150 witnesses were interviewed in connection with this two-year investigation, and that the government anticipated producing approximately 1.4 terabytes of digital discovery in this case.

The court indicated that a scheduling conference would be conducted in accordance with Local Criminal Rule 16-1. The court expects that all nineteen Defendants will have appeared for an initial appearance and arraignment and plea no later than April 15, 2016.

1 Accordingly,

2 **IT IS ORDERED** that:

- 3 1. Counsel for the parties shall meet and confer to discuss whether this case should be
4 designated as complex within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii).
- 5 2. The parties shall attempt to arrive at an agreed-upon complex case schedule
6 addressing:
- 7 A. The scope, timing, and method of the disclosures required by federal statute,
8 rule, or the United States Constitution, and any additional disclosures that will
9 be made by the government;
 - 10 B. Whether the disclosures should be conducted in phases, and the timing of such
11 disclosures;
 - 12 C. Discovery issues and other matters about which the parties agree or disagree,
13 and the anticipated need, if any, for motion practice to resolve discovery
14 disputes;
 - 15 D. Proposed dates for the filing of pretrial motions and for trial; and
 - 16 E. Stipulations with regard to exclusion of time for speedy trial purposes under
17 18 U.S.C. § 3161.
- 18 3. The parties shall have until **April 18, 2016**, in which to file a stipulated proposed
19 complex schedule if all parties are able to agree.
- 20 4. If the parties are unable to agree on a proposed complex case schedule, or disagree
21 that this case should be designated as complex, the government, and counsel for each
22 individual Defendant shall have until **April 18, 2016**, to file a proposed schedule with
23 supporting points and authorities, stating each party's position with respect to whether
24 this case should be designated as complex, a proposed schedule for discovery, pretrial
25 motions, and trial, and any exclusions of time deemed appropriate under 18 U.S.C. §
26 3161.


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5. A hearing to address whether this case should be designated as complex, and if so, to address unresolved scheduling and discovery matters is set for **Friday, April 22, 2016, at 10:00 a.m., in Courtroom 7D.**
6. Counsel for all Defendants and all Defendants who have made an appearance in this case shall be present.

DATED this 25th day of March, 2016.



PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE