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SEALED AND HSD

★ SEP 26 2022 ★



BROOKLYN OFFICE

U.S. Department of Justice

United States Attorney  
Eastern District of New York

JAM/JEA  
F. #2020R00404

271 Cadman Plaza East  
Brooklyn, New York 11201

September 26, 2022

TO BE FILED UNDER SEAL

**CR 22 - 432**

BY HAND DELIVERY

The Honorable Ramon E. Reyes, Jr.  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**IRIZARRY, J.**

**KUO, M.J.**

Re: In re: Application for Sealing an Indictment  
Docket No.

Dear Judge Reyes:

The government respectfully seeks designation of the above-referenced indictment and application to seal the indictment, as well as all accompanying materials, as "Highly Sensitive Documents" ("HSDs"). (See Amended Admin. Order 2021-02) (outlining procedures for manual filing of HSDs) (the "Order"). As detailed below, the application and accompanying materials contain highly sensitive information of interest to a foreign intelligence service, including the foreign intelligence services of the Russian Federation. The disclosure of this information could cause significant harm to the United States or its interests. A proposed order is attached hereto for your consideration.

I. Background

The aforementioned indictment pertains to an individual whom the United States believes has ties to the intelligence services of the Russian Federation. If alerted to the existence of the indictment, there is reason to believe that the individuals charged in the indictment would take actions to avoid prosecution.

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II. Analysis

In relevant part, the Order defines HSDs as:

those documents containing information that (a) is likely to be of interest to the intelligence service of a foreign government, or the disclosure of which could cause significant harm to the United States or its interests, or (b) the disclosure of which could put human life or safety at risk.

(Order ¶ 1a).

Should the Russian Federation authorities discover the full nature and scope of the government's investigation, they might alert the subjects involved and/or destroy evidence that the U.S. government would later seek to obtain. Any such actions by Russian Federation authorities would cause significant harm to the United States or its interests, considering the significance of the investigation.

Accordingly, the government respectively seeks authorization of the proposed order attached hereto, which provides that the above-referenced indictment, application for sealing the indictment and accompanying materials be designated as HSD. Should the national security considerations no longer apply, the government will seek leave of the Court to remove the HSD designation.

III. Conclusion.

For the reasons articulated above, the government seeks entry of an order applying HSD designation to the attached indictment, application for sealing the indictment and accompanying materials.

Respectfully submitted,

BREON PEACE  
United States Attorney

By: /s/ Artie McConnell  
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Enclosures