

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,

v.

STEPHEN JIN-WOO KIM,

Defendant.

**Criminal No. 10-225 (CKK)**

**ORDER**  
(July 9, 2013)

The Court held a status hearing in this matter on July 9, 2013. The Defendant was present and represented by counsel. This order briefly sets forth some of the issues discussed on the record during the status hearing.

The parties shall confer regarding the Defendants' discovery requests relating to information known to the Defendant at the time of the purported unauthorized disclosure. If the parties are unable to reach an agreement, the parties shall promptly notify the Court to arrange a closed hearing in lieu of motion practice on this issue. The Government shall produce to the Defendant a set of "trial ready" documents the Government intends to declassify for trial, including certain redactions and substitutions, on or before **July 16, 2013**. By no later than **July 23, 2013**, the Defendant shall indicate to the Government which documents with the "treat as classified" making do not need to undergo classification review. As discovery and trial preparations continue, the Defendant may identify additional documents that need to undergo classification review, and the Defendant shall promptly notify to the Government, but in any event by no later than **January 28, 2014**. On or before **July 30, 2013**, the Government shall file a notice with the Court and the Defendant indicating when it anticipates completing the review

of the documents identified on July 23 by the Defendant as needing classification. The Government shall produce to the Defendant all documents previously classified solely because of the prior classification of the name of the reporter and news organization at issue in this case on or before **August 23, 2013**.

The Defendant shall file its initial notice pursuant to section 5 of the Classified Information Procedures Act by no later than **July 30, 2013**. The Government shall file its objections on or before **August 16, 2013**. The Court shall hold a status hearing on **August 23, 2013 at 1:00 PM**. Upon review of the parties' submissions, the Court shall promptly notify the parties if the status hearing shall take place telephonically.

The Defendant shall file any motions to compel on or before **July 23, 2013**. The Government shall file its oppositions by no later than **August 16, 2013**. The Defendant shall file his replies on or before **August 23, 2013**.

Trial in this matter shall commence on **April 28, 2014 at 9:00 AM**. The Court set a further status for **September 27, 2013 at 1:30 PM**. Upon inquiry from the Court, the Defendant agreed to waive his Speedy Trial Act rights from July 9, 2013, until April 28, 2014. In light of the complex nature of classified discovery in this case, the forthcoming CIPA proceedings, and the need for counsel to prepare additional pretrial motions and to prepare for trial, the Court finds that the ends of justice served by the continuance outweigh the best interests of the public and the Defendant in a speedy trial. Therefore the Court grants a continuance of Defendant's Speedy Trial Act rights pursuant to 18 U.S.C. § 3161(h)(7)(A). The continuance shall be effective July 9, 2013, until April 28, 2013. For Speedy Trial Act purposes, as of July 9, the 70th day is September 17; as of April 28, 2014, the 70th day will be July 7, 2013.

**SO ORDERED.**

