

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

VS.

CASE NO: 2:20-cr-114-JLB-MRM

CASEY DAVID CROWTHER

JUDGE:	John E. Steele	COUNSEL FOR GOVERNMENT	TRENTON REICHLING Michael Leeman
DEPUTY CLERK:	Shelley Giauque	COUNSEL FOR DEFENDANT:	NICOLE HUGHES WAID BRIAN DICKERSON
COURT REPORTER	Jeff Thomas	PRETRIAL/PROBATION	No Officer Present
DATE/TIME	February 16, 2021 01:30 PM	Interpreter	n/a

Status Conference via Zoom video conference

Start time: 1:30 PM

Court calls case. Counsel enter appearances.

This case will be tried by Judge Steele. A Second Superseding Indictment was filed on 2/10/2021. An arraignment was held 2/12/2021.

Mr. Reichling advises the court of the differences to the Second Superseding Indictment. There were no changes as far as any additional counts being added. See page 5 paragraph B that note the change between the Second Superseding Indictment and the Superseding Indictment included two additional words "and in loan documents submitted to the lender on or about April 14, 2020." Then on page 6, in paragraph E, the government included the last three lines of Paragraph E that were changed to reflect, "did cause the lender"...the government made changes to reflect that the misleading representations would and did cause the lender and SPC to approve the PPP allocation to deposit \$2,098,798 in PPP loans into an account under the defendant's control.

Ms. Waid would request that the Motion to Dismiss be reconsidered as to the Second Superseding Indictment. Mr. Reichling does not see any arguments changing. There have not been any substantive changes to the Second Superseding Indictment. Mr. Reichling does not foresee any new arguments. Mr. Reichling would request that the government's prior response be considered. Court will consider and enter an order following the hearing.

1. Counsel have conferred and both agree with a date certain for trial of Monday, March 22, 2021.

2. The Court will reserve a block of time on the Friday, 3/19/2021 to take up any housekeeping issues.
3. The Court will set a deadline of 3/15/2021 to file voir dire questions, exhibit list, witness list a week.
4. Motions in Limine deadline will be on 3/8/2021.
5. Response time reduced to 7 days – counsel concur (this includes in limine motions).
6. Forfeiture. Mr. Reichling notes that the money from the sale of the property in St. James is held in escrow with the U.S. Marshal. The government does intend on seek forfeiture of those funds.
7. Length of trial. Counsel will try to finish in 5 days. There are 146 exhibits, of which the majority will be stipulated to. If the parties do not stipulate it is not so much an authenticity issue, but an admissibility issue. The government will most likely be calling 20 witnesses. Ms. Waid comments as to a plea offer that was denied by the government today. Mr. Crowther was willing to plead to a 1014 for mortgage fraud and he would then actually request a bench trial instead of bringing in a jury. Ms. Waid does not plan to have any witnesses but could potentially call three witnesses. Will stipulate to a lot of the evidence.

End time: 1:50 PM