

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DAVID EBRAHIMZADEH

Criminal No. 25-cr-10455-RGS

JOINT INITIAL STATUS REPORT AND REQUEST TO CANCEL HEARING

Pursuant to Local Rule 116.5(a), the parties hereby file the following status report prepared in connection with the status conference on this matter scheduled for January 23, 2026, request that the status conference be cancelled, and request that an interim status conference be scheduled in approximately 75 days and that the time be excluded until that date.

(1) Automatic Discovery/Pending Discovery Requests

Per the agreement of the parties and the alternative discovery schedule adopted by this Court (Dkt. No. 27), on January 16, 2026, or as soon thereafter as the proposed protective order is adopted, the Government expects to provide a first production of automatic discovery, consisting of the bulk of automatic discovery materials currently available, including over 2.1 million bates labeled pages and/or electronic files within an electronic database and over 14,000 bates labeled pages or files outside of the database.

(2) Additional Discovery

The government is in the process of completing its review and preparation of materials for production, and anticipates making a supplemental production and completing automatic discovery on or before February 20, 2026.

(3) Timing of Additional Discovery Requests

The defendant will need time to review the discovery being produced on January 16 and on February 20. As such, he does not yet know whether or when he will make additional discovery requests and will assess this when automatic discovery is complete.

(4) Protective Orders

The government has filed an assented-to motion for a discovery protective order, Dkt. No. 28, which is currently pending before the Court.

(5) Pretrial Motions

Due to the fact that review of the discovery has not yet begun, it is premature for the defendant to decide whether to file any motions under Fed. R. Crim. P. 12(b). The defendant will provide an update in connection with the next status conference.

(6) Expert Discovery

The government agrees to provide any expert witness disclosures 21 days prior to trial. Defendant agrees to provide any expert witness disclosure 14 days prior to trial.

(7) Speedy Trial Act

All of the time has been excluded from the date of defendant's arraignment on December 12, 2025, through the date of the initial status conference scheduled for January 23, 2026. *See* Dkt. Nos. 10, 23. The parties request that the time be excluded until the next status conference. The parties agree that this period constitutes "the reasonable time necessary for effective preparation, taking into account the exercise of due diligence," and that the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A).

(8) Next Status Conference

Given all of the foregoing information, the parties request that the initial status conference, scheduled for January 23, 2026, be canceled. Given the voluminous discovery and defense counsel's trial schedule, the parties request that the next status conference be scheduled in approximately 75 days, instead of the typical 30-45 days.

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Respectfully submitted,

DAVID EBRAHIMZADEH By his attorney, <u>/s/ Scott Seitz</u> Robert Fisher Scott Seitz Nixon Peabody LLP 53 State St. Boston, MA 02109 sseitz@nixonpeabody.com 617.345.1000	UNITED STATES OF AMERICA By its attorney, LEAH B. FOLEY United States Attorney <u>/s/ Elianna J. Nuzum</u> Elianna J. Nuzum Assistant United States Attorney John Joseph Moakley U.S. Courthouse One Courthouse Way, Suite 9200 Boston, MA 02210 elianna.nuzum@usdoj.gov 617.748.3100
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Dated: January 15, 2026

CERTIFICATE OF SERVICE

Undersigned counsel certifies that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Elianna J. Nuzum
Elianna J. Nuzum
Assistant United States Attorney

Dated: January 15, 2026