IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Criminal Case No. 24-cr-372-DDD-1

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATHEW JOHN BARR,

Defendant.

MOTION TO DISCLOSE GRAND JURY MATERIAL

The United States of America, by and through Peter McNeilly, United States Attorney for the District of Colorado, and Taylor Glogiewicz and Craig Fansler, Assistant United States Attorneys, hereby moves, pursuant to Fed. R. Crim. P. 6(e)(3)(E)(i), for an order authorizing the Government to disclose grand jury testimony to the defendant's counsel, as part of discovery in this case, on the terms and conditions outlined below. As grounds for this motion, the Government states as follows:

1. Fed. R. Crim. P. 6(e) prohibits the disclosure of "a matter occurring before the grand jury," with various exceptions.

2. The Government has determined that a witness in the grand jury is likely to be called as a witness during any upcoming trial in this matter. The witness's grand jury testimony thus may constitute material that must be disclosed pursuant to the Jencks Act (18 U.S.C. § 3500) and/or Fed. R. Crim. P. 26.2(f)(3). The Government seeks to provide discovery to the defendant's counsel that includes a transcript of the witness's grand jury testimony and any related exhibits.

3. Fed. R. Crim. P. 6(e)(3)(E)(i) allows for Court-authorized disclosure of matters occurring before a grand jury when such disclosure is "preliminarily to or in connection with a judicial proceeding."

4. The pending case against the defendant is a "judicial proceeding," and the requested disclosure is "in connection with" such proceeding. The Government wishes to provide this discovery, but can do so only with the Court's authorization. Fed. R. Crim. P. 6(e)(3)(E).

5. Because the grand jury proceeding, including the transcript, remains secret, *see* Fed. R. Crim. P. 6(e), the Government moves that disclosure be allowed only for the purpose of defending this case; that such disclosure be made only to defendant's counsel; that such transcript be maintained in the defendant's attorneys' custody; and that such materials not be reproduced or disseminated.

WHEREFORE, the Government respectfully requests that the Court authorize the disclosure of grand jury testimony to defendant's counsel, as part of discovery in this case, on the terms and conditions outlined above.

Respectfully submitted,

PETER MCNEILLY
United States Attorney
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CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2026, I electronically filed this **MOTION TO DISCLOSE GRAND JURY MATERIAL** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the parties on record.

s/Ilmira Allazova
Ilmira Allazova
Legal Administrative Specialist