

Honorable Richard A. Jones

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHANGPENG ZHAO,

Defendant.

No. CR23-179 (RAJ)

AMENDED STIPULATED MOTION TO
MODIFY DKT. 49

NOTING DATE: January 23, 2024

Defendant Changpeng Zhao, by and through his attorney, Mark N. Bartlett, of Davis Wright Tremaine LLP, files this stipulated motion to modify Dkt. 49 and unseal the Motion to Seal Submission for Permission to Travel. The Letter to Judge Jones Re Permission to Travel (filed with said Motion) is attached hereto and shall be filed with agreed redactions and Exhibit A to the Letter to Judge Jones Re Permission to Travel shall be redacted in its entirety and is also attached hereto.

The text proposed for redactions contains personal health and protected information. The proposed redactions are necessary to protect the interests of Mr. Zhao and third parties and are narrowly tailored to achieve that goal.

1 This Court has discretion to grant the requested relief under its inherent “supervisory
2 power over its own records and files.” *Nixon v. Warner Communications*, 435 U.S. 589, 598
3 (1978).

4 This is a stipulated motion that has been reviewed and approved by the United States,
5 and both parties agree with the suggested redactions.

6 DATED: January 23, 2024.

7 Davis Wright Tremaine LLP
8 Attorney for Defendant Changpeng Zhao,
9 aka “CZ”

10 By s/ Mark N. Bartlett
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18 *Stipulated by:*

19 TESSA M. GORMAN
20 United States Attorney
21 Western District of Washington
22 U.S. Department of Justice

23 s/ Jonas Lerman
24 Jonas Lerman
25 Assistant United States Attorney
700 Stewart Street, Suite 5220
Seattle, WA 98101
Telephone: 206.553.7970
Email: jonas.lerman@usdoj.gov

CERTIFICATE OF SERVICE

1
2 I certify that on the date below, I filed the foregoing document with the Clerk of the
3 Court using the CM/ECF system which will send notification of filing to all parties registered
4 with the CM/ECF system.

5 DATED: January 23, 2024

6
7 *s/ Mark Bartlett* _____
8 Mark Bartlett

EXHIBIT

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December 22, 2023

SUBMITTED UNDER SEAL
VIA ELECTRONIC MAIL
(jonesorders@wawd.uscourts.gov)

The Honorable Richard A. Jones
United States District Court
Western District of Washington
700 Stewart Street, Suite 13128
Seattle, Washington 98101-9906

Re: United States v. Changpeng Zhao, No. CR 23-179 (RAJ)(BAT)

Dear Judge Jones:

We represent Changpeng Zhao in the above-referenced action. We respectfully submit this letter to seek permission for Mr. Zhao to travel to the United Arab Emirates (“UAE”) beginning January 4, 2024 for one to four weeks. This time period would allow Mr. Zhao to be present for the hospitalization and surgery of [REDACTED] and [REDACTED] subsequent recovery period. As detailed below, [REDACTED] surgery is scheduled for January 5, 2024 at [REDACTED] in Abu Dhabi. Mr. Zhao pleaded guilty on November 21, 2023 and has been on bail subject to a bond entered that same day, as modified by this Court on December 7, 2023.¹

With the Court’s permission, Mr. Zhao will provide his itinerary and all relevant additional information to Pretrial Services for the Western District of Washington (“WDWA Pretrial Services”) prior to his departure. He will report his arrival to the WDWA Pretrial Services officer immediately upon his return.

With regard to the medical procedure, [REDACTED] is scheduled to undergo [REDACTED]

¹ Under the Court’s conditions, as modified by the December 7, 2023 Order, Mr. Zhao posted a \$175 million personal recognizance bond, secured by two guarantors with cash pledges of \$100,000 and \$250,000, respectively, and a third guarantor with real property located in Los Angeles, California, valued in excess of \$5 million. ECF No. 33. Mr. Zhao also previously wired an additional \$15 million to the United States that is held in the trust account of his Seattle-based attorney. See ECF No. 34, at 5 (“\$15 million in security custodied with [Mr.] Zhao’s counsel”). This Court has further ordered that Mr. Zhao “remain in the continental United States during the period between his plea and sentencing” and is “free to travel within the United States.” ECF No. 46.

LATHAM & WATKINS LLP

on January 5, 2024. The procedure was originally scheduled for December 19, 2023, but was postponed to January 5 because [REDACTED]. The procedure will require general anesthesia, a minimum of six hours of recovery in the hospital, and an estimated post-surgery recovery period of two weeks. We have provided a statement from [REDACTED] Dr. [REDACTED] at Exhibit A. [REDACTED]

Due to ongoing family commitments in the UAE, [REDACTED] Mr. Zhao's partner and their children are unable to travel to the United States in the time period before sentencing.

If the Court is unable to permit Mr. Zhao to reside at home in the UAE for the full extent of this requested time, he respectfully requests that he be permitted to return home for the surgery and initial recovery period, specifically January 4 through January 11, 2024.

If necessary to address any concerns the Court may have about this travel and to ensure that he is able to be with [REDACTED] and family during this important period, Mr. Zhao is prepared to provide significant additional property and financial security to assure his timely return, including pledging all of his equity in Binance US, which was worth \$4.5 billion in the last round of fundraising 2 years ago.

The Government has not consented to this request. Thank you for your consideration.

Respectfully submitted,

/s/ Benjamin Naftalis

Benjamin Naftalis
of LATHAM & WATKINS LLP

/s/ Mark Bartlett

Mark Bartlett
of DAVIS WRIGHT TREMAINE LLP

/s/ William Burck

William Burck
of QUINN EMANUEL URQUHART & SULLIVAN LLP

cc: The Honorable Brian A. Tsuchida
Erin O'Donnell, Pretrial Services
Michael Dion
Jonas Lerman
Kevin Mosley
Elizabeth Carr

EXHIBIT A

