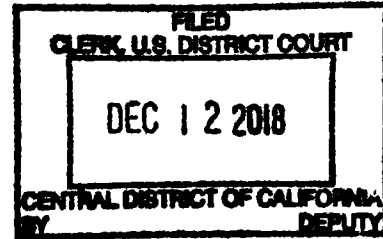


COPY

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Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARY CAROLE MCDONNELL,

Defendant.

No. SA CR 18- 00255 JVS

GOVERNMENT'S EX PARTE APPLICATION
FOR ORDER SEALING INDICTMENT AND
RELATED DOCUMENTS; DECLARATION OF
VIBHAV MITTAL

(UNDER SEAL)

The government hereby applies ex parte for an order that the indictment and any related documents in the above-titled case (except the arrest warrant for the charged defendant) be kept under seal until the government files a "Report Commencing Criminal Action" in this matter or notifies the Court that the defendant has been arrested overseas. Under the terms of the proposed sealing order, the government and other law enforcement, including foreign authorities, may disclose the indictment and any related documents, as needed, to locate and arrest defendant overseas, including in any extradition proceedings. .

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1 This ex parte application is made pursuant to Federal Rule of
2 Criminal Procedure 6(e)(4) and is based on the attached declaration
3 of Vibhav Mittal.

4 Dated: December 12, 2018

Respectfully submitted,

5 NICOLA T. HANNA
6 United States Attorney

7 DENNISE D. WILLETT
8 Assistant United States Attorney
9 Chief, Santa Ana Branch Office

10 /s/
VIBHAV MITTAL
Assistant United States Attorney

11 Attorneys for Plaintiff
12 UNITED STATES OF AMERICA
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DECLARATION OF VIBHAV MITTAL

I, Vibhav Mittal, declare as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Central District of California. I represent the government in the prosecution of United States v. Mary Carole McDonnell. An indictment is being presented to a federal grand jury in the Central District of California on December 12, 2018 in this matter.

2. The defendant charged in the above-captioned indictment has not been taken into custody on the charges contained in the indictment and has not been informed that she is being named as a defendant in the indictment to be presented to the grand jury on December 12, 2018. The likelihood of apprehending defendant might be jeopardized if the indictment in this case was made publicly available before the defendant is taken into custody on the indictment.

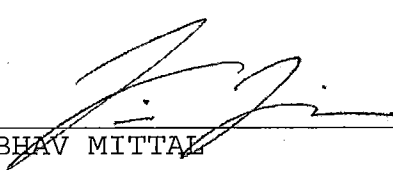
3. It is my understanding that the defendant is currently living in Dubai, United Arab Emirates, and has been there since on or about May 5, 2018. According to the Federal Bureau of Investigation Special Agent leading this investigation ("the case agent"), the defendant was scheduled to return on June 5, 2018, but did not return to the United States. The case agent had begun interviewing individuals related to this matter by late March 2018.

4. It is my understanding that the United States and United Arab Emirates do not have an extradition agreement. However, the government would like the ability to share the indictment and any related documents for use in any extradition proceedings relating to the defendant, in the event the defendant travels to a country where

1 the United States does have an extradition agreement in place.
2 Moreover, the government would like the ability to share the
3 indictment and any related documents to and by law enforcement
4 personnel, including foreign authorities, in connection with the
5 performance of their duties and for the purpose of locating or
6 arresting the defendant. This may include the use of an INTERPOL Red
7 Notice and sharing the otherwise sealed materials with authorities in
8 the United Arab Emirates.

9 5. Accordingly, the government requests that the indictment
10 and sealed documents in this case (except the arrest warrant) be
11 sealed and remain so until the defendant is taken into custody on the
12 charges contained in the indictment and the government files a
13 "Report Commencing Criminal Action" in this matter or notifies the
14 Court that the defendant has been arrested overseas. For the reasons
15 stated earlier, the government would like the ability to disclose the
16 indictment and any related documents, as it deems necessary, for use
17 in any extradition proceedings and to and by law enforcement
18 personnel, including foreign authorities, to locate and arrest the
19 defendant overseas.

20 I declare under penalty of perjury under the laws of the United
21 States of America that the foregoing is true and correct and that
22 this declaration is executed at Santa Ana, California, on December
23 12, 2018.

24
25 
26 VIBHAV MITTAL
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