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February 14, 2023

VIA ECF

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Samuel Bankman-Fried*, 22 Cr. 673 (LAK)

Dear Judge Kaplan:

On behalf of our client, Samuel Bankman-Fried, we respectfully submit this letter in connection with the Government's letter filed yesterday requesting additional time for the parties to make submissions to the Court regarding modification of Mr. Bankman-Fried's bail conditions. We join in the Government's request to extend the time for such submissions to February 17, 2023.

We agree with the Government that the parties have been engaging in productive discussions to address the concerns raised by the Court at the February 9, 2023 oral argument and resolve the outstanding issues related to Mr. Bankman-Fried's bail conditions. We would like to continue these discussions and are optimistic that we will reach an agreement between the parties by February 17 that we believe will satisfy the Court.

Further, we wish to note that, on the specific dates referenced by the Government, our client used the VPN to access an NFL Game Pass international subscription that he had previously purchased when he resided in the Bahamas, so that he could watch NFL playoff games. On January 29, 2023, he watched the AFC and NFC Championship games and on February 12, he watched the Super Bowl. This use of a VPN does not implicate any of the concerns raised by the Government in its letter.

Nevertheless, in order to resolve the matter and as the Government notes, the defense is prepared to adopt a reasonable bail condition that allays any concerns of the Government or the Court about the use of a VPN. Our client will not use a VPN in the interim.

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Accordingly, we join in the Government's request for the extension of time until February 17, and look forward to resolving the issue with the Government, subject to the Court's approval.

Respectfully submitted,

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cc: All counsel of record (via ECF)