

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Case No. 16-CR-30061
)	
AARON SCHOCK,)	
)	
Defendant.)	

ORDER

On September 1, 2017, the Government filed a Response (#119) to Defendant's Motion to Dismiss Indictment for Violation of Fifth Amendment Rights Before the Grand Jury (#100). In the response, the Government admitted that a previous claim made by Assistant United States Attorney Timothy Bass was misleading, if not simply false. The claim related to Defendant's allegation that a Government attorney made comments regarding Defendant's failure to testify before the Grand Jury. Originally, the Government denied Defendant's allegation, stating that it "unequivocally submits to this Court that this allegation is false. It did not happen." However, the Government has now changed its position, admitting that "on eleven occasions - seven times before the first grand jury and four times before the second grand jury - government counsel commented on or addressed Mr. Schock's testifying or decision not to testify before the grand jury."¹

¹The Government's clarification was made by Acting United States Attorney Patrick Hansen approximately six and a half months after the original statement was submitted to this court by AUSA Bass.

The recent revelation puts this court in a somewhat difficult position as it is now aware that it was misled by the Government. Unfortunately, this court relied upon, and even quoted, the Government's inaccurate statement, which it now knows to be false, in a previous order. While the court's reliance on that statement was not dispositive of any issue, the court must ensure that it does not rely on any inaccurate information in any future orders.²

Therefore, to ensure the accuracy of the record, as well as the integrity of this court, the Government is ordered to review all claims and statements made in its current filings to ensure that there are no more false or misleading claims.³ After its review, and within fourteen (14) days of this order, the Government must file a memorandum with this court detailing any further misrepresentations or misleading statements made by the Government. If there are none, the memorandum should state that fact. The court orders that the memorandum be filed by Acting United States

²At the present time, the court is reviewing and preparing its ruling on Defendant's Motions to Dismiss (#76), (#78), (#86). These motions and memorandums, responses, replies and attachments total approximately 500 pages. Defendant's other non-evidentiary motions (#100), (#101), (#103), (#105), and (#107) were fully briefed on September 16, 2017, and are also now before the court. These motions and memorandums, responses, replies and attachments total approximately 4,855 pages. There are numerous representations and statements of facts made by the Government throughout these pleadings.

³As an example, the Government has claimed numerous times (including in a Response (#127) to a pending motion) that the Department of Justice authorized the charges in this case. The court wonders if such authorization was made with full knowledge of the occurrences before the Grand Jury as set forth by the Government in its recent filing. If not, the statement may be misleading.

Attorney Patrick Hansen.

IT IS THEREFORE ORDERED THAT:

The Government is ordered to review all claims and statements made in all filings currently pending before the court. After its review, the Government must submit a memorandum detailing any further misrepresentations or misleading statements. The memorandum must be submitted within fourteen (14) days of this order and signed by Acting United States Attorney Patrick Hansen.

ENTERED this 3rd day of October, 2017.

s/COLIN S. BRUCE
U.S. DISTRICT JUDGE