

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

HO WAN KWOK,

Defendant.

FILED PARTIALLY UNDER SEAL

Case No. 1:23-CR-118-1 (AT)

**DECLARATION OF MATTHEW
S. BARKAN ACCOMPANYING
DEFENDANT'S RENEWED
MOTION TO STAY BANKRUPTCY
CASES AND MOTION FOR
RECONSIDERATION**

I, MATTHEW S. BARKAN, hereby declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a partner at the law firm Pryor Cashman LLP and counsel for Defendant Ho Wan Kwok in the above-captioned matter.


2. I submit this declaration in support of Defendant's Renewed Motion to Stay Bankruptcy Cases and Motion for Reconsideration and to transmit to the Court true and correct copies of the following documents.

3. A true and correct copy of the Individual Debtor's Objection to Motion for Order Authorizing (a) Chapter 11 Trustee to Use Potentially Privileged Documents in Bombardier Adversary Proceeding on a Sealed Basis Without Waiver of Privilege or, Alternatively, (b) Limited Waiver of Trustee Privilege as to Subject Matter of Bombardier and Bombardier Proceeds submitted by Mr. Kwok in the bankruptcy proceedings captioned *In re Ho Wan Kwok, et al.*, Case No. 22-50073 (JAM) (Bankr. D. Conn.) (Jointly Administered), on December 13, 2023 is attached hereto as **Exhibit A**.

4. A true and correct copy of an Affidavit in Support of Seizure Warrant produced by the government at USAO_00107385 is attached hereto as **Exhibit B**.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 4, 2024.



Matthew S. Barkan
*Counsel for Defendant
Ho Wan Kwok*