

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

UNITED STATES OF AMERICA,

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 OPPOSITIONS
TO THE GOVERNMENT'S
MOTIONS *IN LIMINE***

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 opposition to the government's Motions to Exclude the Testimony of Defendant's Expert Witnesses (Dkt. No. 272) and the government's Motions *in Limine* (Dkt. No. 273) and to transmit to the Court true and correct copies of the following documents.

3. A true and correct copy of a *Wall Street Journal* article dated November 20, 2018 is attached hereto as **Exhibit A**.

█ [REDACTED]

█ [REDACTED]

[REDACTED]

█ [REDACTED]

█ [REDACTED]

[REDACTED]

█ [REDACTED]

[REDACTED]

█ [REDACTED]

[REDACTED]

█ [REDACTED]

[REDACTED]

11. A true and correct copy of an FBI report dated March 13, 2023 is attached hereto as **Exhibit I**.

12. A true and correct copy of a G|CLUBS Membership Agreement is attached hereto as **Exhibit J**.

13. A true and correct copy of an expert disclosure for Professor Peter D. Easton filed by the government in the case *United States v. Bankman-Fried*, No. 22 Cr. 673 (LAK) (S.D.N.Y.) (Dkt. No. 235-1) is attached hereto as **Exhibit K**.


14. A true and correct copy of an expert disclosure for Professor Amit Seru filed by the government in the case *United States v. Hwang*, No. 22 Cr. 240 (AKH) (S.D.N.Y.) (Dkt. No. 106-2) is attached hereto as **Exhibit L**.

15. A true and correct copy of expert disclosures filed by the government in the case *United States v. Phillips*, No. 22 Cr. 138 (LJL) (S.D.N.Y.) (Dkt. No. 43-2) is attached hereto as **Exhibit M**.

16. A true and correct copy of a letter from the government to the Honorable Pamela K. Chen in the case *United States v. McMahon, et al.*, No. 21 Cr. 265 (PKC) (E.D.N.Y.) (Dkt. No. 231), is attached hereto as **Exhibit N**.

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

Executed on April 17, 2024.



Matthew S. Barkan
Counsel for Defendant
Ho Wan Kwok