

Competition Problem

- 1) Order Granting Motion for Voluntary Dismissal of Information (dated July 23, 2020)
- 2) Indictment (dated January 19, 2021)
- 3) Initial Appearance Transcript (dated January 21, 2021)
- 4) Order on Initial Appearance (dated January 21, 2021)
- 5) Email #1
- 6) Email #2
- 7) Email #3
- 8) Email #4
- 9) Special Agent Woo Declaration
- 10) Special Agent Woo Supplemental Declaration
- 11) Ty Hayward Declaration
- 12) Monica Rambeau Declaration
- 13) Dr. Darcy Lewis Declaration
- 14) Jarvis Odinson Declaration (non-testifying witness)
- 15) Maximoff Flight Records (Exhibit A)
- 16) Maximoff Financial Accounts (Exhibit B)
- 17) Photo of Cash from Maximoff Arrest (Exhibit C)
- 18) Photo of Marijuana from Maximoff Arrest (Exhibit D)
- 19) Photo of Maximoff Argentinian Identification Card (Exhibit E)
- 20) Urinalysis of Maximoff from Arrest (Exhibit F)
- 21) Compound Exhibit of Dialysis Demonstratives (Exhibit G)
- 22) News Article (Exhibit H)

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF STETSON
WESTVIEW DIVISION

UNITED STATES OF AMERICA

****UNDER SEAL****

v.

CASE NO. 1:20-cr-24

WANDA MAXIMOFF

_____ /

ORDER

This matter is before the Court on the Government's Motion for Order of Dismissal. Dkt. No. 4. The United States requests that the Information and all other matters pertaining to this case be dismissed pursuant to Federal Rule of Criminal Procedure 48.

Under Rule 48(a), "[t]he government may, with leave of court, dismiss an indictment, information, or complaint. The government may not dismiss the prosecution during trial without the defendant's consent." In this case, the Information was filed under seal yesterday, July 22, 2020, Dkt. No. 1, with a supporting declaration by a Special Agent of the Department of Homeland Security, Dkt. No. 2. There has been no further action in this case. The Government's motion is therefore due to be **GRANTED**, and this case is **DISMISSED without prejudice**.

DONE AND ORDERED this 23rd day July 2020.

Elijah Bradley
Elijah Bradley
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF STETSON
WESTVIEW DIVISION

UNITED STATES,

v.

CASE NO. 1:21-cr-36

WANDA MAXIMOFF
a/k/a “Scarlet”

_____/

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

1. The Department of Homeland Security, the United States Immigration and Customs Enforcement (“ICE”), and Homeland Security Investigations (“HIS”) are agencies of the executive branch of the government of the United States.

2. An Order of Supervision (“OSUP”), DHS Form I-220B, is a document issued by ICE to aliens who have been ordered removed from the United States, pursuant to a final order of removal, and who could not be removed due to qualifying conditions.

3. Aliens qualified for an OSUP, if for instance, they are: (1) nationals of countries that did not have diplomatic relations with the

United States; (2) single parents of children who were United States citizens; or (3) suffering from a significant health condition.

4. An OSUP authorizes the release of an alien to the community under prescribed reporting conditions. An OSUP affords certain benefits, including the ability to apply for and receive a Stetson Driver's License and an Employment Authorization Card, among other things.

5. Defendant **WANDA MAXIMOFF** is a national of the former Socialist Federal Republic of Yugoslavia and a naturalized United States citizen residing in Westview, Stetson.

COUNT ONE

Between May 31, 2007, and July 24, 2010, in the District of Stetson, the defendant,

WANDA MAXIMOFF
a/k/a "Scarlet"

did conspire to knowingly encourage and induce an alien (I.M., T.D., S.D., H.P., S.P., A.T., J.C., and R.B.) to reside in the United States, knowing and in reckless disregard of the fact that such residence is and will be in violation of law, namely by manufacturing and selling false and fraudulent OSUPs to the aliens illegally present in the United

States who did not qualify to receive an OSUP for the purpose of illegally obtaining a Stetson Driver's License and an Employment Authorization Card.

In violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv), (v).

A TRUE BILL

Karli Morgenthau

Foreperson

John Walker

John Walker
United States Attorney

Sharon Carter

Sharon Carter
First Assistant United States Attorney

Samuel Wilson

Samuel Wilson
Assistant United States Attorney

Dated: September 21, 2021

**United States District Court
District of Stetson
Westview Division**

UNITED STATES OF AMERICA,

CASE NO.: 1:21-cr-36

v.

WANDA MAXIMOFF,
Defendant.

_____ /

Initial Appearance
Thursday, September 23, 2021
2:00 p.m. EST

The Honorable Valentina Allegra de Fontaine
United States Chief District Judge
District of Stetson

APPEARANCES:

FIRST ASSISTANT UNITED STATES ATTORNEY SHARON CARTER
ASSISTANT UNITED STATES ATTORNEY SAMUEL WILSON
United States Attorney's Office
1 Ellis Avenue
Westview, Stetson 61650

Counsel for the United States of America

JAMES B. BARNES, ESQ.
Barnes & Rogers, P.A.
15 Ellis Avenue
Westview, Stetson 61650

Counsel for Defendant Wanda Maximoff

SPECIAL AGENT JIMMY WOO
Department of Homeland Security (DHS)
970 Broad Street
Westview, Stetson 61650

1 [COURT IN SESSION AT 2:02 P.M.]

2 THE COURT: We are here on a specially set docket for an
3 initial appearance. Clerk, please call the case.

4 CLERK: United States v. Wanda Maximoff. Case Number
5 1:21-cr-36. Chief Judge Valentina Allegra de Fontaine
6 presiding.

7 THE COURT: And can we have appearances for the record?

8 MR. WILSON: For the United States, Assistant United
9 States Attorney Samuel Wilson. Also here are the District's
10 First Assistant United States Attorney Sharon Carter and
11 Department of Homeland Security Special Agent Jimmy Woo.

12 THE COURT: Good afternoon, Mr. Wilson and Agent Woo.
13 Ms. Carter, it is always a pleasure. For the defendant?

14 MR. BARNES: James Barnes for Defendant Wanda Maximoff.
15 I was retained by her family.

16 THE COURT: Good afternoon, Mr. Barnes. Is this case
17 unsealed?

18 MR. WILSON: Yes, Your Honor signed the order this
19 morning right after Ms. Maximoff's arrest and Madam Clerk
20 advised me prior the hearing that it is on the docket.

21 THE COURT: Okay. Ms. Maximoff, you were arrested
22 earlier today because this week a grand jury of this Court
23 returned an Indictment against you on one charge. This is your
24 initial appearance. I will explain the charge against you and

25 advise you of the maximum penalties should you plead or be found
26 guilty. This is something I must do even though, I am sure, you
27 have had the opportunity to read the Indictment and discuss the
28 charge with your attorney.

29 Count One, the sole charge in the Indictment, alleges that
30 between May 31, 2007, and July 24, 2010, you conspired to
31 encourage and induce aliens to continue residing in the United
32 States knowing that such residence would be in violation of the
33 law and for the purpose of commercial advantage or private
34 financial gain, in violation of 8 U.S.C. § 1324(a)(1)(A)(iv) and
35 (v). For this charge, you face a maximum term of imprisonment
36 up to ten years, a maximum term of supervised release of up to
37 three years, a \$250,000 fine, and a special assessment.

38 Because an Indictment was returned against you, you do not
39 have the right to a preliminary examination hearing for a
40 determination of probable cause. The Indictment is itself a
41 finding of probable cause that you committed the charges against
42 you.

43 What is the government's position as to—

44 MR. BARNES: Excuse me your honor, but before proceeding
45 any further we would move to dismiss the Indictment on its face
46 because it was returned in violation of the statute of
47 limitations. Section 3298 requires that for an INA offense,
48 "the Indictment is found or the information is instituted not

49 later than 10 years after the commission of the offense." It is
50 plain from what you just read, based on the conspiracy alleged
51 in the Indictment, that the statute of limitations expired on
52 July 24, 2020.

53 THE COURT: Good catch. What says the government on the
54 motion?

55 MR. WILSON: There is more procedural history here than
56 meets the eye. I am going to tender to the Court and opposing
57 counsel a materially identical Information filed by the United
58 States under seal against Ms. Maximoff on July 22, 2020, and an
59 order signed by Judge Bradley dismissing the Information without
60 prejudice. We were forced to file the Information last summer
61 after the Court, in Administrative Order No. 20-019, suspended
62 the grand jury because of COVID-19 as of March 23, 2020. When
63 the Court lifted that suspension on March 29, 2021, in
64 Administrative Order No. 21-008, we sought an Indictment by the
65 grand jury within six months to comply with 18 U.S.C. § 3288.

66 If the Court is inclined to disagree, there is also an
67 argument for equitable tolling of the statute of limitations.
68 We were in and continue to be cognizant of an unprecedented
69 pandemic, and Special Agent Woo can explain why Ms. Maximoff's
70 fraud only recently came to light.

71 MR. BARNES: Ms. Maximoff did not waive her right to an
72 Indictment under Federal Rule of Criminal Procedure 7, namely

73 because she never knew was under investigation for a federal
74 crime until her arrest this morning. So, the July Information
75 was always null and void. I also know one federal circuit has
76 held that equitable tolling will not "rescue a government
77 indictment filed after the statute of limitations has lapsed."
78 We still seek dismissal of this Indictment.

79 THE COURT: That's enough, counsel. I agree this
80 presents two legal issues that the Court can resolve prior to
81 trial. First, the issue of Section 3288, and second, the issue
82 of equitable tolling. Let me pause on that for a moment.

83 Mr. Wilson, is the government seeking detention in this
84 case? This is not an enumerated offense under the Bail Reform
85 Act, right?

86 MR. WILSON: It's not, but we are seeking detention under
87 Section 3142(f)(2)(A) because there is a serious risk Ms.
88 Maximoff will flee if she is released pending trial.

89 MR. BARNES: What a joke. It's not like she is just
90 going to vanish into thin air.

91 MS. CARTER: Magic is not the government's concern. The
92 United States is prepared to present evidence that Ms. Maximoff
93 has substantial foreign ties, significant assets, and an obvious
94 motive to flee. Special Agent Woo can testify to her recent
95 flight records and her finances, all of which are discussed in
96 the Affidavit accompanying the July Information. When she is

97 adjudicated guilty, we will seek prison time. We are not
98 inclined to call her a terrorist, but—

99 MR. BARNES: So don't. Ms. Maximoff does not present a
100 serious risk of flight. Her health conditions are another
101 factor. She gets dialysis three times per week, which I would
102 doubt she'll get in the jail. And even if she could get
103 dialysis, she has a compromised immune system. Requiring her to
104 go to the county jail at the rate the Theta Strand can spread
105 when she is not vaccinated would be a death sentence. She has a
106 family who can care for her, and she will submit to an ankle
107 bracelet for GPS monitoring, a curfew, or even some form of home
108 confinement.

109 We would ask the Court to set a hearing on the Government's
110 motion for detention and our motion to dismiss for next Monday.

111 THE COURT: That's a sound idea. On the motion to
112 dismiss, you will file your motion and memorandum by close of
113 business today. The Government will have 24 hours to file its
114 response. I will ask the Clerk to assign this case to a judge
115 who can hear oral argument on the motion on Monday.

116 Assuming the motion is taken under advisement, you will
117 have your detention hearing. Neither party will submit
118 memoranda on detention because the law is straightforward, but
119 the Court will hold an evidentiary hearing for the parties to

120 present witnesses and make argument under the Bail Reform Act.

121 Understood?

122 MR. BARNES: Yes, your honor.

123 MR. WILSON: Of course.

124 THE COURT: Now, let me address the Defendant directly.

125 I understand these initial appearances can be fast and complex.

126 I don't want you leaving here under any misimpression about what
127 is going to happen from here.

128 Your case will be set for trial by separate order, and you
129 are going to be held at the county jail until Monday. Due to
130 the limited information I have about your health conditions, I
131 will direct the Marshal to ask the jail to assign you to a cell
132 without a roommate.

133 There will be a detention hearing on Monday at the
134 Government's request, during which a judge will determine
135 whether you should be in custody pending trial or released on
136 any number of conditions. For you to be detained pending trial,
137 the Government must show by a preponderance of the evidence—
138 basically that it is more likely than not—that you are a serious
139 risk of flight. This is a fact-specific examination requiring
140 the Court take into account whether you have substantial foreign
141 ties, access to considerable funds that would finance flight
142 from this jurisdiction, or whether you have manifested any
143 intent to flee. The Court cannot find you present a serious

144 risk of flight just because you may face a long sentence if
145 convicted. We look at aliases, unstable residence, efforts to
146 avoid arrest, foreign business ties, and hidden assets.

147 If the United States makes that initial showing of serious
148 risk of flight, the Court turns to the second prong of the Bail
149 Reform Act. The question there is whether any condition or
150 combination of conditions of release will reasonably assure your
151 appearance for future proceedings and trial. Unlike in state
152 court, where there are bail schedules and cash bond, I cannot
153 just demand you pay a certain amount of money to get out of
154 jail. You may be released on your own recognizance, I can order
155 a bond that is entirely unsecured or secured by certain property
156 (like a family home) that you will forfeit if you flee, or there
157 are a number of conditions like GPS monitoring or a curfew that
158 are listed in Section 3142(c) of the Bail Reform Act.

159 In doing so, I must look at the nature and circumstances of
160 the offense charged, the weight of the evidence against you,
161 although I must stress that is, by far, the least important
162 factor, your history and characteristics such as your physical
163 health, family ties, employment, financial resources, community
164 ties, any criminal history, or general past conduct, and,
165 lastly, the seriousness of any danger you present to one person
166 or the community if released.

167 Both the United States and your counsel will present
168 evidence, call witnesses, and make argument at the detention
169 hearing. You may be familiar with legal objections, like
170 hearsay and speculation. Although those rules generally don't
171 apply at detention hearings, any judge in this courthouse is not
172 going to entertain rank hearsay or conjecture by witnesses
173 without foundation to back it up.

174 Does all of that make sense?

175 DEFENDANT: Yes, your honor. Thank you.

176 THE COURT: You're welcome. We are adjourned.

177 [COURT ADJOURNED AT 2:18]

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF STETSON
WESTVIEW DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 1:21-cr-36

WANDA MAXIMOFF

_____ /

ORDER

This matter came before the Court today, September 23, 2021, for Defendant's initial appearance on the sole charge in the Indictment, Dkt. No. 1. This order is a non-exhaustive recitation of the matters raised at the initial appearance.

Defendant sought dismissal of the Indictment as untimely pursuant to 18 U.S.C. § 3298. The Government contends the Indictment was returned in accordance with 18 U.S.C. § 3288 following the timely filing of an Information against Defendant and the convening of the District's grand jury, or, in the alternative, that it is entitled to equitable tolling of the statute of limitations due to the District's suspension of the grand jury during the COVID-19 pandemic. The Court directed the parties to file memoranda of law addressing **two questions**: (1) whether the Indictment was timely returned in view of

§§ 3288, 3298; and (2) whether the Government is otherwise entitled to any equitable tolling of a criminal statute of limitations. **The Court will also hold oral argument on Defendant's motion to dismiss.**

Additionally, the Government moved for the detention of Defendant pending trial under the Bail Reform Act, 18 U.S.C. § 3142. Defendant opposes the motion and has requested an evidentiary detention hearing. The Government's request and Defendant's opposition does not raise any novel legal issue that necessitates the presentation of case law or legal argument beyond the burdens and factors addressed in the applicable statute (the Bail Reform Act) and the weight any evidence presented at the detention hearing. Indeed, the undersigned explained the applicable law to Defendant at the conclusion of the initial appearance. **The Court will schedule a detention hearing on an expedited basis.**

DONE AND ORDERED this 23rd day of September 2021.

Valentina Allegra de Fontaine
Valentina Allegra de Fontaine
Chief Judge, District of Stetson

From: James B. Barnes
Sent: Thursday, September 23, 2021 4:47 PM
To: Samuel Wilson
Subject: USA v. Maximoff
Attachments: caselawmemo-maximoff.pdf

Sam,

It was great seeing you today. Please give my best to Sarah.

Statute of Limitations – I will be filing our memo shortly. I think you will find that there are compelling interpretive arguments for the district court to hold that the Government’s filing of an information without a waiver of an indictment is insufficient to institute that information for prosecution. As for the historical context, you’ll see that one judge stated plainly: “The idea that an information could be instituted to toll the limitations period, but not to prosecute the accused, was not salient at the statute’s inception, nor at the time § 3288 or its predecessor were enacted.” Please advise after you have looked at our memo whether your office would be willing to drop the charges.

Detention Hearing – If you are going forward, would you be willing to let me know who you plan on calling as witnesses so I can take the weekend to prepare for the hearing? If you tell me, I will get back to you with who we plan on calling. Wanda is not going to testify. I may even work on getting you some declarations or reports in advance.

Regards,
Bucky

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THIS MAY CONTAIN CONFIDENTIAL ATTORNEY-CLIENT OR PRIVILEGED COMMUNICATIONS. PLEASE DO NOT FORWARD WITHOUT SPECIFIC PERMISSION.

From: Samuel Wilson
Sent: Friday, September 24, 2021 10:22 AM
To: James B. Barnes
Subject: RE: USA v. Maximoff

Bucky,

Thank you for the heads up. My office looked over your memo, and Walker and Carter are not persuaded. Personally, I think the order in *Rosecan*, 2021 WL 1026070, is the correct reading of the statutes. We obviously concede there is no material difference between the language in sections 3282 and 3298 for bringing the charge.

As for the detention hearing, we are going to call Special Agent Woo and Officer Ty Hayward. You have Woo's affidavit in support of the Information. I will try to get you a report or declaration from Hayward over the weekend.

- S.

Samuel Wilson
Assistant United States Attorney

THE UNITED STATES ATTORNEY'S OFFICE
DISTRICT OF STETSON
1 Ellis Avenue
Westview, Stetson 61650



THE UNITED STATES
DEPARTMENT of JUSTICE

From: James B. Barnes
Sent: Saturday, September 25, 2021 9:33 AM
To: Samuel Wilson
Subject: RE: USA v. Maximoff
Attachments: Monica Rambeau Declaration.pdf; D. Lewis MD Declaration.pdf

Sam,

I am sorry to hear that we are going to have to move forward on this. Attached are declarations from Wanda's guardian (Monica Rambeau) and her primary (Dr. Darcy Lewis). I am working on getting a declaration from Ms. Maximoff's significant other, Jarvis Odison, to submit to the Court without his live testimony.

Bucky

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THIS MAY CONTAIN CONFIDENTIAL ATTORNEY-CLIENT OR PRIVILEGED COMMUNICATIONS. PLEASE DO NOT FORWARD WITHOUT SPECIFIC PERMISSION.

From: Samuel Wilson
Sent: Saturday, September 25, 2021 7:15 PM
To: James B. Barnes
Subject: RE: USA v. Maximoff
Attachments: Hayward Report FINAL.pdf; JWoo Supp. Dec. (Maximoff).pdf

Bucky,

Attached is Hayward's report and a supplemental declaration from Woo regarding Wanda's arrest. I also figured you would want to know that Wanda tested positive for marijuana use after we arrested her.

- S.

Samuel Wilson
Assistant United States Attorney

THE UNITED STATES ATTORNEY'S OFFICE
DISTRICT OF STETSON
1 Ellis Avenue
Westview, Stetson 61650



— THE UNITED STATES —
DEPARTMENT *of* JUSTICE

AFFIDAVIT IN SUPPORT OF INFORMATION

Your affiant (“YA”), Jimmy Woo, is a Special Agent with the United States Department of Homeland Security (“DHS”), being duly sworn, do depose and state under oath as follows:

INTRODUCTION AND BACKGROUND

1. YA is a law enforcement officer of the United States in that YA is empowered to conduct investigations of and to make arrests for offenses in violation of the Immigration and Nationality Act, including knowingly encouraging and inducing aliens to unlawfully reside in the United States in violation of Title 8, Section 1324.
2. YA is employed as a DHS Special Agent and has been so employed for approximately 15 years, from 2005 through present, in Westview, Stetson. Prior to YA’s current employment, YA was a full-time police deputy with the Westview Sheriff’s Office for approximately four years, from 2001 through 2005.
3. YA maintains a Bachelor’s Degree in International Studies from the University of Florida and a Master’s Degree in Criminology and Sociology from Stetson State University. YA has extensive training, education, and experience in the investigation of offenses in violation of the Immigration and Nationality Act. YA’s entire tenure at DHS has been the investigation of criminal immigration offenses. Since 2010, YA has attended and presented at annual seminars educating law enforcement on the techniques used by aliens¹ to avoid detection of

¹ YA uses the legal term “alien,” defined in Title 8 Section 1101(a)(3), to refer to any person not a citizen or national of the United States when such a person is unlawfully present in the United States without the consent of the Secretary of the Department of Homeland Security.

their unlawful presence in the United States. Although YA does not have formal training or education in accounting or the investigation of financial crimes, YA has been involved in two prior investigations related to money laundering and one involving the recovery of tainted financial assets in civil forfeiture proceedings.

4. YA is familiar with one such tactic (to avoid detection) as the forgery of DHS-Form I-220B, also known as an Order of Supervision (“OSUP”). ICE will issue an OSUP to an alien who has been ordered removed from the United States, pursuant to a final order of removal, but who cannot be removed due to qualifying conditions. An alien qualifies for an OSUP, if for instance, that person is: (1) a foreign national of a country that does not have diplomatic relations with the United States; (2) a single parent of child(ren) who are United States citizens; or (3) suffering from a significant health condition. An OSUP authorizes the release of an alien to the community under prescribed reporting conditions and affords certain benefits, including the ability to apply for and receive a state Driver’s License and an Employment Authorization Card.

PROBABLE CAUSE

5. On May 3, 2018, at approximately 11:35 p.m., YA received a telephone call from Sergeant Stanley Nielson about an arrest by the Westview Sheriff’s Office for driving under the influence. Sergeant Nielson is the supervisor of Westview’s Domestic Highway Enforcement Team. Sergeant Nielson informed YA that an individual in custody, S.P., is a Guatemalan citizen and did not have authority to reside in the United States, but was concerned because she was in possession of an expired Stetson Driver’s License, issued to her on June 2, 2008.

6. YA elected to interview S.P. the next morning, while she was still in custody at the Westview Jail and awaiting her initial appearance in state court. YA arrived at the jail at 6:25 a.m. and met with S.P. in an interrogation room. YA advised S.P. of her *Miranda* rights using the card provided by the Westview Sheriff's Office. S.P., who spoke conversational English and did not ask for an interpreter, signed a *Miranda* waiver form provided by the Westview Sheriff's Office.
7. During YA's interview with S.P., she confirmed that she is a Guatemalan citizen who entered the United States unlawfully in April 2008. YA asked S.P. how she obtained a Stetson Driver's License. S.P. advised YA that her husband, H.P., purchased forged immigration documents from a woman named "Scarlet" for a total of \$10,000. S.P. said she and her husband immediately used those documents to obtain their Driver's Licenses and Employment Authorization Cards. S.P. said neither she nor her husband ever met "Scarlet" and would not be able to identify "Scarlet." When their Driver's Licenses expired in 2015, S.P. and her husband attempted to locate "Scarlet" but failed to do so. YA terminated the interview with S.P. at 7:10 a.m.
8. Later that day, at about 1:20 p.m., YA spoke by telephone with H.P. H.P. refused to answer my questions without consulting his attorney.
9. On August 10, 2018, YA received a call from H.P. H.P. said he was concerned that he could not get in touch with his immigration attorney Agatha Harkness, who he attempted to reach after our call on May 4, 2018. H.P. said that he and his wife retained Harkness after entering the United States in April 2008, and that she was supposed to assist them in applying for lawful temporary residence status so they would

- not be deported. H.P. stated that on April 30, 2008, he paid Harkness a \$30,000 retainer that he borrowed from his family in the United States.
10. H.P. further advised YA that on May 7, 2008, during a conference at Harkness's office, Harkness introduced H.P. and S.P. to her law clerk, Maximoff, who Harkness described as "great with paperwork." H.P. and S.P. spent a total of 50 hours over two weeks working with Maximoff on their applications for to become lawful temporary residents.
 11. H.P. told YA that on May 23, 2008, as H.P. and S.P. were leaving Harkness's office, they found a note in their paperwork with a phone number for a woman named "Scarlet." The note advised the reader that "Scarlet" could assist them with obtaining immigration paperwork "like an OSUP" so that they could apply for a state Driver's License and an Employment Authorization Card. H.P. did not recognize the handwriting on the note and could not produce it for inspection. H.P. further admitted that he had not previously been subject to removal proceedings and did not otherwise qualify to obtain an OSUP.
 12. H.P. called the phone number for "Scarlet" that evening, and a man answered the call. The unidentified man instructed H.P. that he could get him and his wife "what they needed" for \$10,000 in cash if the cash was left in their mailbox the following day at 11:40 p.m. H.P. readily complied, after borrowing additional funds from his family. The following morning, on May 24, 2008, H.P. opened his mailbox to find the fraudulent OSUP forms, which they used to obtain Stetson Driver's Licenses and Employment Authorization Cards.
 13. H.P. advised YA that other aliens in his neighborhood paid "Scarlet" to obtain fraudulent immigration paperwork until 2010. H.P. said they

were all clients of Harkness. H.P. provided YA their contact information. Then, YA promptly terminated the call.

14. YA immediately opened an investigation file and attempted to contact Harkness at her office to no avail. YA checked the Stetson Bar website to see if Harkness was still practicing law. The Stetson Bar website stated that Harkness retired in 2015 and relocated to Salem, Massachusetts.
15. YA contacted the field office for the Department of Homeland Security in Boston, Massachusetts. YA asked the duty agent to visit Harkness's address. Two hours later, YA received a call from the duty agent informing me that Harkness no longer resided at the address and the home there was abandoned.
16. YA searched Harkness's flight records, but they did not reflect that she had traveled outside the country since her retirement in 2015.
17. YA tabled this investigation in light of an undercover task force assignment from August 15, 2018, through February 14, 2019.
18. Upon YA's return to the Westview field office, YA re-opened the investigation into the fraudulent OSUP files. YA visited the neighborhood where H.P. and S.P. lived and conducted knock-and-talk interviews with other residents. Many residents were noncompliant.
19. YA conducted a non-custodial interview of R.B., a resident, on February 19, 2019. One resident, R.B., informed YA that he unlawfully entered the United States in 2009 but gained lawful temporary residence in 2012. R.B. told me that he retained Harkness to handle his immigration case. YA asked if he ever heard of a person named "Scarlet," and R.B. nervously nodded. YA advised R.B. that he would not be in trouble if he told the truth. R.B. provided a materially similar

story to H.P., that he retained Harkness, worked with Maximoff (who at that time had since been admitted to the Stetson Bar and was practicing as an associate attorney with Harkness' firm) on paperwork, and found a note telling him to contact "Scarlet." R.B. paid "Scarlet" \$10,000 in cash for a forged OSUP.

20. YA asked R.B. if he still had the note, which R.B. produced from a file labeled "Immigration Stuff." The note included a telephone number.
21. YA returned to the field office and attempted to call the telephone number on a recorded line, but it had been disconnected.
22. YA learned that the telephone number previously corresponded to a cell phone serviced by Verizon Wireless. YA subpoenaed phone records for the telephone number and learned that the subscriber to the number was The Law Office of Agatha Harkness.
23. An internet search revealed that the number did not belong to Harkness herself, but rather was used as an "emergency contact" for Harkness' staff.
24. Upon consideration of the evidence, YA opened an investigation into Maximoff as "Scarlet" for the alleged offense of encouraging or inducing aliens to reside in the United States.
25. On March 18, 2019, YA subpoenaed Maximoff's available phone records, financial records, and flight records.
26. Maximoff's domestic bank records revealed substantial verifiable income from her work as an attorney, at least \$250,000 annually between 2011 and 2019. Harkness employed Maximoff from 2007 through 2010, at which time she only claimed income between \$40,000 and \$65,000 annually on her tax returns. Her bank records for that earlier period (2007 through 2010), however, reflected 24 substantial

cash deposits in a total amount of \$220,000 over the course of four years.

27. YA's flight records revealed substantial international travel by Maximoff in the last 20 years, which YA believes was, at one time, funded by the proceeds of the offense(s) alleged in this affidavit.
28. YA further investigated the cases handled by Harkness and Maximoff during Maximoff's employment. A search of court records revealed that Maximoff appeared as counsel of record or a "certified legal intern" on 40 cases.
29. YA attempted to interview each of Maximoff's former clients to determine if they paid for fraudulent immigration documentation provided by Maximoff. YA successfully interviewed 24 of Maximoff's clients and determined Maximoff conspired with at least eight (I.M., T.D., S.D., H.P., S.P., A.T., J.C., and R.B.) to provide them a forged OSUP. The earliest payment, by T.D., was made to Maximoff on May 31, 2007, and the latest payment was made to Maximoff on July 24, 2010. This coincides with Maximoff's termination from her employment by Harkness in late 2010.
30. YA was advised by one client, I.M., that he observed the "drop off" of the documents in his mailbox. I.M. stated that he believed the person providing the forged document was his attorney, Harkness, and not Maximoff. YA did not find this information credible based on the totality of the investigation described in this affidavit. This interview was conducted on October 28, 2019.
31. YA concluded that the remaining 15 former clients were no longer in the United States (likely due to deportation) or deceased. YA believes that some, if not all, of these former clients also paid Maximoff for

forged documentation because there were more than eight substantial and unverifiable cash deposits in Maximoff's primary bank account from 2007 through 2010 during her employment by Harkness.

32. YA determined that Maximoff is currently employed as "Policy Counsel" by Oscorp Industries, a multinational biomedical corporation with business offices and research facilities in New York, Argentina, Switzerland, Germany, and other European or South American countries. She claimed on her federal tax return that her income from Oscorp in 2019 was \$350,000.
33. YA reviewed Maximoff's recent bank records for her primary checking and savings accounts with Meridian Bank. Her 2019 records reflect numerous wire transfers to two bank accounts in Germany and Switzerland. YA learned that Maximoff jointly holds those accounts with a person by the name of Jarvis Odinson, but YA has been unable to obtain the bank records for international accounts.
34. Additionally, Maximoff has made almost weekly cash withdrawals from her checking account at Meridian Bank in the precise amount of \$1,650 since January 2017 through present, except when her flight records show she is traveling abroad. YA estimates that Maximoff's weekly withdrawals amount to more than \$200,000 in cash that cannot be accounted for.
35. Based on the foregoing, YA has reason to believe Maximoff has committed a violation of 8 U.S.C. § 1324(a)(1)(A)(iv) and (v), namely by engaging in a conspiracy to encourage and induce aliens to unlawfully reside in the United States. Maximoff committed acts in furtherance of this conspiracy within the jurisdiction of the District of Stetson, Westview Division.

Respectfully Submitted,

*Jimmy Woo*_____

Jimmy Woo
Special Agent
Department of Homeland Security

Sworn and subscribed to before me this 22nd day of July, 2020, by
Special Agent Jimmy Woo.

Isiah Bradley_____

Isiah Bradley
United States District Judge

Supplemental Declaration of Agent Woo

Your affiant (“YA”), Jimmy Woo, is a Special Agent with the United States Department of Homeland Security (“DHS”), being duly sworn, do depose and state under oath as follows:

1. YA executed an arrest warrant at 2800 Sherwood Drive in Westview, Stetson, beginning at 10:45 a.m. on Thursday, September 23, 2021.
2. There is a single-family home at the above-stated address owned by Monica Rambeau. The subject of the arrest warrant, Wanda Maximoff, permanently resides with Rambeau.
3. YA knocked on the door and announced my name and status as law enforcement. Maximoff answered the door. YA recognized her from the photo with her Stetson Driver’s License, but YA asked her to confirm her identity. Maximoff complied and allowed me to enter the home.
4. YA explained to Maximoff that YA had a warrant for her arrest based on an indictment returned by a federal grand jury. Maximoff seemed surprised and asked to review the indictment. I explained that the indictment was under seal but described to her the nature of the charge.
5. While YA was speaking with Maximoff, a fellow officer (Westview Sheriff’s Deputy Thaddeus Ross) conducted a brief, protective sweep of the home. In so doing, Deputy Ross located a single packed “overnight” bag near the front door. Maximoff admitted to possession of the luggage and gave Deputy Ross consent to conduct a search. During his search, Deputy Ross retrieved Maximoff’s U.S. passport, \$2,000 cash, a small bag containing a green leafy substance that based on his training and experience Deputy Ross identified as 3.5 grams of marijuana, and

an Argentinian National Identity Card (“DNI”). Maximoff advised YA that she was preparing to take a flight to Buenos Aires, and that she planned to return by Tuesday for a medical appointment. When YA asked Maximoff about her Argentinian identification, she stated it was provided to her by her employer in June 2019.

6. YA asked Maximoff whether she would be willing to answer questions about the charge against her. Maximoff declined and affirmatively invoked her right to remain silence.
7. YA arrested Maximoff and immediately transported her to the Marshal’s Office at the United States Courthouse in Westview for booking and her initial appearance.
8. Deputy Ross catalogued Maximoff’s U.S. passport, the Argentinian National Identity Card, \$2,000 cash, and 3.5 grams of marijuana as evidence and placed them in the evidence locker at the Westview Sheriff’s Office.
9. Additionally, Assistant United States Attorney Wilson requested that I review Maximoff’s international flight records for the last six years and her available bank records to determine her financial resources. YA created a summary exhibit that reflects Maximoff’s international flight records from July 2017 through present, information which is verifiable by records available with the Department of Homeland Security and U.S. Customs and Boarder Protection. Airport code “WSV” is the Westview-Stetson International Airport.
10. YA also created a summary exhibit that reflects Maximoff’s bank accounts and present balances (if available).

11. This declaration states any and all additional work related to YA's duties as a Special Agent on the investigation and prosecution of Maximoff since the submission of my declaration dated July 22, 2020.

Respectfully Submitted,

Jimmy Woo _____

Jimmy Woo
Special Agent
Department of Homeland Security

Dated: September 24, 2021

**Declaration of Westview County
Jail Corrections Officer Ty Hayward**

My name is Ty Hayward and I am a corrections officer in the medical department of the Westview County Jail (WCJ), which houses about 350 inmates at any given time. I was born and raised in Westview. I graduated from Westview High School and got my associate's degree in criminal justice from Westview Community College. I started working at WCJ after I graduated from WCC in 2006.

I was initially hired as a detention officer for the "B Pod," which was a standard low-risk male detention unit at WCJ. After being shuffled between a few units over the years, I began training to work with the medical staff and was reassigned to the medical unit in 2015. Although I am not a doctor or trained healthcare provider, I have received basic training in emergency medical care, First Aid, CPR, and AED training, and I often assist the nursing staff when they are overwhelmed.

WCJ contracts with a number of physicians, physician's assistants, advanced registered nurse practitioners, and other healthcare providers throughout Westview for specialty care, in addition to employing in-house doctors and nursing staff. We also often work with St. Anthony's Hospital, as it is the closest emergency medical facility. There are extensive protocols in place to ensure the health and safety of inmates at WCJ.

The COVID-19 pandemic presented a significant risk to the health and safety of incarcerated individuals. At WCJ, however, we implemented additional measures to minimize the spread of the virus and protect our staff and inmates. We strictly adhered to the CDC's Guidance for Correctional and Detention Facilities. Beginning in April 2020, we divided an entire housing unit into three sections: one to isolate individuals with confirmed

COVID-19, one to isolate individuals with suspected COVID-19, and a third to quarantine close contacts of those with confirmed or suspected COVID-19. Additionally, we were in constant contact with city, county, and state public health officials, as well as partner law enforcement agencies and other nearby correctional facilities. We limited the transfer of inmates to the extent we could. Although the pandemic has made things more difficult and often meant we were relying on a reduced staff, we still have successfully managed our general healthcare practices in addition to COVID safety procedures.

Of course, these protocols have not been perfect. The COVID-19 pandemic was at its peak in Stetson between December 2020 and March 2021. At that time, we had about three dozen “positive” inmates at any time. Luckily, only half of them tended to be symptomatic cases, and we only had to provide 20 inmates with intensive medical care in the last 10 months. Those 20 inmates had preexisting conditions or comorbidities. The asymptomatic cases are harder to detect because we can only afford to administer tests if a person is symptomatic or if an inmate says they had direct contact with a person who tested positive in the last 10 days.

Now, the main concern is the spread of the COVID-19 Theta Strand in Stetson. We do not have the authority to administer the COVID-19 vaccine to inmates and we certainly cannot compel vaccination. In any event, about 80 percent of our inmates and staff are vaccinated. At present, we have three inmates who have tested positive for the COVID-19 Theta Strand. One is in administrative confinement, another is in the jail’s infirmary, and another was transferred to St. Anthony’s for more personalized treatment. As far as I can tell, there are not any inmates in general population who are positive for the Theta Strand.

Wanda Maximoff arrived at our facility on Thursday, September 23, 2021. I was immediately made aware of her medical issues, her vaccination status, and her need for treatment. Generally, WCJ will maintain continuity of care to the extent such treatment is reasonably accessible and can be provided to an inmate based on WCJ's security concerns. Maximoff's need for treatment during her detention is not so complicated or difficult that it will present issues for WCJ to continue her treatment. We currently have about five inmates receiving dialysis treatment several times each week. We contract with Westview Dialysis Center to provide necessary treatment for inmates. They send a dialysis technician to WCJ a few times a week to administer dialysis for these inmates, and we've never had issues with them since their contract started in June 2018. As long as I get valid documentation from her treating physician confirming that she actually qualifies and needs dialysis, and letting us know how often she needs it, I will make sure that is handled here.

I am aware of the pending civil case filed by Joaquin Torres about his dialysis treatment. What happened to him in November 2018 was unanticipated and very sad, but that case had nothing to do with our contract with Westview Dialysis Center. At that time, Torres was authorized to be transported for treatment at an outside primary physician, but he simply declined to go one day. Maybe it was because his family stopped coming to visit him. Then, he went into shock. If he had not refused treatment or spoke up about any pain, we would have treated him right away.

Maximoff does not present any security concerns such that I would be concerned for her escape or insubordination during her medical treatment, and she said she would not do "anything stupid" that would risk her health or keep her from seeing her kids. Maximoff pleaded for me to continue her

treatment with her physician, Dr. Lewis, but I advised her that WCJ could not afford to transport her multiple times per week to receive “concierge care.”

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Ty Hayward
Ty Hayward

Dated: September 24, 2021

Declaration of Monica Rambeau

My name is Monica Rambeau, and I was born in Westview, Stetson, on June 18, 1951. I have resided in Westview my entire life. After I graduated from Westview High School in 1969, I accepted a job as a nurse at St. Anthony's Hospital. I received several promotions for my excellent work. I retired from my position as Chief Nurse in 2014, after 45 years at St. Anthony's Hospital.

I met Wanda shortly after she arrived to the United States in 1992. Wanda was born in the former Yugoslavia in 1982. Sadly, her parents died in the Yugoslav Wars, and she was placed in a foster care program for refugee children from Eastern Europe in 1992. I was a foster parent with the refugee program, and Wanda came to live with me for her initial placement. Although it was initially intended to be a temporary placement, we quickly developed a close relationship, and Wanda stayed with me throughout her time in the foster care system. She was an intelligent, polite, and curious child. For example, she would follow me around the hospital so she could talk with patients. She would ask them about their jobs, their families, and their hobbies. In fact, Wanda volunteered at the hospital from the time she turned 14 until she went to college. Many long-term patients told me that they were thrilled to see Wanda and that it made them feel better.

Even after she aged-out of the foster care system, I still maintained a relationship with Wanda as if she was my daughter. I watched Wanda earn her Bachelor's degree, with honors, from Stetson International University in 2003. After graduating, she spent a year volunteering in Leipzig, Germany. She met a man named Jarvis there and, against my advice, fell in love. I have spoken with him by telephone a few times. He has a very sharp mind,

but he has never showed much emotion. Vis makes good money in Europe, so he would send her money when she was in law school and even during her first few years of practice. They never got married; they have always thought of themselves as an unusual couple.

Wanda got pregnant six months after she met Vis and gave birth in Germany to twin boys. Thomas and William are everything to Wanda. Unfortunately, I have never met them. Their father will not let them come to the United States because he is worried they will not go back to Europe, and I do not travel. Wanda and Vis agreed that the boys would stay with him in Germany, but could travel to see Wanda in Europe and South America. She sends them money any chance she can.

Wanda came back to the United States in 2005 to start law school. No one was surprised that Wanda graduated at the top of her class in 2008, and she passed the bar exam on the first try. She has earned a comfortable living as policy counsel for an international medical research company. They have offices in Argentina, the UAE, and Switzerland, so she travels there frequently. If Tommy and Billy are not in school when she travels, Vis will meet her so she can see the boys. I don't think she goes more than a couple of months without seeing them, although the last year has been more difficult with the pandemic. In June 2019, she extended a trip so long that I asked her if she planned on coming back to Westview. She laughed and told me that she could live like Leonardo DiCaprio in *Catch Me If You Can*. I jokingly asked her if she was the first or the second mouse in the bucket of cream.

I have had several health issues since I retired in 2014. I was diagnosed with ovarian cancer in 2015 and received chemotherapy at that time—luckily I've remained in remission. I had corrective surgery from a fall that dislocated my knee a few years back. Luckily, Wanda takes such good

care of me and is always so generous. If she is in town, she will drive me to and attend my doctor's appointments. If she is away, she hires a nurse or an aide to take me. She also pays all of my medical bills and living expenses. I have never met someone with a bigger heart.

Unfortunately, Wanda is also struggling with her own health issues after a lifetime of chronic kidney disease. But Wanda is strong-willed and will battle this disease so she can watch Tommy and Billy continue to grow up. She also wants to continue her work. She donates so much of her income to international orphanages, foster care programs, and other charities.

The morning that Wanda got arrested may have been one of the worst in my life. The officers came banging on our door, and they treated her like a criminal. She kept crying and asked what she did wrong. When they started talking about stuff she supposedly did back in 2007, I almost lost it. She was in her last year of law school at the time and clerking for a local immigration attorney. These officers have clearly never met a third-year law student to think she would have time to commit crimes. And the fact that they think she did it for money is absurd. Wanda has always earned an honest living.

When the officers looked through our home after arresting Wanda, which I did not know they could do, they found some cash and marijuana. I am embarrassed to say that the marijuana is mine. I used some when I had my fall because it helped me sleep. I even told my doctor about it. He muttered to himself that it was probably better than the opioids he would normally prescribe people to alleviate pain. I only gave it to Wanda to get rid of, but she must have forgotten.

I have always tried my best to take care of Wanda, and she has done the same for me now that I am older. But I promise the prosecutor and the Court that she can continue to live with me while this ordeal plays out. I will

watch her, make sure she is at every hearing, and help her continue to be a contributing member of society. She called me after her arrest and swore that she is innocent and wants to fight the charges.

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Monica Rambeau
Monica Rambeau

Dated: September 24, 2021

Declaration of Dr. Darcy Lewis, M.D.

My name is Darcy Lewis, and I am a family primary care physician at Westview Family Care with admitting privileges at St. Anthony's Hospital in Westview, Stetson. I graduated with a Bachelor's degree in Biology from the University of Florida and first in my class with an M.D. from Stetson State University College of Medicine. I completed my residency in internal medicine at the University of Texas, after which I completed a two-year Infectious Diseases Fellowship at Mayo Clinic. I returned to Westview in 1996 to work as an attending physician at St. Anthony's Hospital before opening my family practice, which I have managed for the last 20 years. Owning a solo practice and serving as an adjunct medical professor at Stetson State leaves me no time to publish academic papers on infectious diseases, but I have given nearly two dozen presentations on curbing the spread of acute and chronic infections caused by bacteria, parasites, fungi, and viruses. All of my case studies—15 in total—stem from my practice, where I treat at least 20 patients per day (from young adults to senior citizens) for nearly everything from the common cold to enduring ailments like diabetes, chronic kidney disease, or heart disease.

I began treating Wanda Maximoff as a patient after she graduated from law school in 2008, but I have known her for almost 25 years because I worked at St. Anthony's with Monica Rambeau. Monica was an excellent nurse and is an even better judge of character. Monica's word (both medical and personal) was gospel at the hospital, and Monica raised Wanda to be an honest and trustworthy person.

Ms. Maximoff made an appointment with my office in 2009 after giving birth to her twin boys. She presented with symptoms of nausea, loss of appetite, fatigue, and concerns about the pattern of her urination. My first

inclination was that she was pregnant or experiencing stress. She told me that she was not pregnant but conceded that her work as an attorney was causing her stress. She said she was working odd hours to keep up with her boss's case load but "truly enjoyed helping people get through the immigration process the right way." We ran some tests, and it turned out Ms. Maximoff's estimated glomerular filtration rate ("eGFR") was 50 mL/min, which was indicative of Stage 3 Moderate Chronic Kidney Disease ("CKD"). Although Mx. Maximoff maintains a healthy weight, I advised her to meet with a dietitian, to maintain a healthy diet and exercise routine, and to return every four months or if she felt her physical condition deteriorated.

Unfortunately, Ms. Maximoff's CKD did get worse. In consultation with a nephrologist, Ms. Maximoff began her dialysis regimen in January 2017. Hemodialysis is a procedure where a dialysis machine and a special filter called an artificial kidney, or a dialyzer, are used to clean the blood. To get a patient's blood into the dialyzer, the doctor needs to make an access, or entrance, into the blood vessels. This is done with minor surgery, usually to a patient's arm. The dialyzer, or filter, has two parts, one for the blood and one for a washing fluid called dialysate. A thin membrane separates these two parts. Blood cells, protein and other important things remain in the blood because they are too big to pass through the membrane. Smaller waste products in the blood, such as urea, creatinine, potassium and extra fluid pass through the membrane and are washed away. To help understand this process, I will attach a demonstrative and a real-world image.

Wanda visits my office, which is located at the St. Anthony's Hospital medical complex in Westview, three times per week for dialysis unless she is traveling abroad for extended periods of time to visit her partner or her sons out of the country. When Ms. Maximoff travels to certain countries, she has

established treatment plans with doctors in Buenos Aires (Dr. Hank Pym), Germany (Dr. Erik M. Lehnsherr), and Switzerland (Dr. Bruce Banner) so she can continue her scheduled dialysis. I don't think it is a problem if Ms. Maximoff leaves the country intermittently because I consult with her foreign doctors when she travels. They have all told me she has never missed an appointment, which is not surprising because Ms. Maximoff is an excellent patient. She always promptly pays her dialysis bills in cash, about \$1,650 weekly, rather than having us bill her health insurance.

I believe that it would hinder Ms. Maximoff's treatment plan if she were to be incarcerated pending her trial in this case. For starters, in my experience incarceration poses the risk of a patient missing dialysis appointments. Missed appointments can cause toxins and fluids to build up in a patient's kidneys, which could make the patient very ill and increase the chance of complications or death from end-stage renal failure. That's why I do not think it is probable that Wanda would flee and compromise her treatment plan. In the last ten years, I have had five patients with regularly scheduled medical treatment who were incarcerated at the Westview County Jail pending trial miss dialysis appointments because of so-called "security and staffing issues." On the other hand, I have not heard of any issues with the jail's transition to a mobile dialysis program that goes directly to the jail for inmates to receive regularly scheduled dialysis.

Ms. Maximoff also experiences substantial pain from her CKD. I prescribe her a relative high dosage of Acetaminophen. Unfortunately, neither medicinal nor recreational marijuana is legal in Stetson. There is a risk that her chronic pain will go untreated at WCJ or that they will treat her with opioids.

Moreover, Ms. Maximoff's condition leaves her more susceptible to the infection of COVID-19 and the disease's most severe symptoms (including difficulty breathing, muscle aches, fatigue, persistent chest pain, and death). Ms. Maximoff informed me that, after consultation with another reputable doctor, that she will not take any available COVID-19 vaccine at this time. She has expressed concerns about complications that would worsen her kidney disease. I will not pass judgment on that advice or Wanda's decision.

Nevertheless, the disease continues to be rampant in jails and prisons, and, as a result, I have seen ten inmates transferred to St. Anthony's ICU from the Westview County Jail since last March. None of them survived. Because I specialize in infectious diseases, I have attempted to counsel the Westview County Jail on curbing the spread of the Theta Variant of COVID-19. Ty Hayward has refused my calls.

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Darcy Lewis

Dr. Darcy Lewis

Dated: September 24, 2021

Declaration of Jarvis Odinson

My name is Jarvis Odinson. I am a German citizen, and I am in a committed long-distance relationship with Wanda Maximoff. We are the parents of two young men—William and Thomas. Our sons live with me in Munich. I have been an engineering executive with the BMW Group since 2004, and I am fortunate enough to make a comfortable living that has provided for Ms. Maximoff and our family since our relationship began in 2004.

I can attest to the fact that every time Ms. Maximoff has traveled internationally since giving birth to our boys in 2005 has been for her career or to visit me, Tommy, and Billy. Ms. Maximoff is committed to her family and her work, and I believe that she would not jeopardize those commitments. In June 2017, August 2018, January 2019, August 2019, July 2020, and August 2021, she visited the boys in Munich. In Christmas 2017, we met her in Zurich. I recall that because the boys begged her to miss her flight and stay through New Year's Day. We took that trip again in 2019 and 2020. And I flew the boys out to Buenos Aires to meet Ms. Maximoff in April 2018, October 2018, and May 2019, while she was there on business. Ms. Maximoff has a beautiful property there.

I can further attest that I will not use my financial resources or our joint financial resources to aid Ms. Maximoff in fleeing from the Court's jurisdiction if she is released pending trial. It is my understanding that the Government has attempted to investigate our joint bank accounts in Germany and Switzerland. Those are above board. The account in Switzerland is for the boys' private schooling and tutoring. The two accounts in Germany are for other joint expenses concomitant with raising our children. The Government has not attempted to contact me to ask about our

resources, and I would have released the bank statements to them for those accounts had they made such a request prior to charging Ms. Maximoff.

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Vis Odinson

Jarvis Odinson

Dated: September 27, 2021

Summary of Wanda Maximoff's International Travel Records (June 1, 2015, through Present)

Flight #	Departure Location	Arrival Location	Departure Date/Time	Arrival Date/Time	Status
LH815	WSV	FRA	6/11/2017 7:55 p.m.	6/12/2017 12:55 p.m.	Boarded
LH1215	FRA	WSV	6/20/2017 2:25 p.m.	6/20/2017 7:45 p.m.	Boarded
AR1305	JFK	EZE	7/11/2017 2:45 p.m.	7/12/2017 2:40 a.m.	Boarded
AR513	EZE	JFK	7/14/2017 10:30 p.m.	7/15/2017 8:35 a.m.	Boarded
AR1305	JFK	EZE	10/1/2017 2:45 p.m.	10/2/2017 2:40 a.m.	Boarded
AR513	EZE	JFK	10/5/2017 10:30 p.m.	10/6/2017 8:35 a.m.	Boarded
UA165	IAD	ZRH	12/20/2017 5:45 p.m.	12/21/2017 7:55 a.m.	Boarded
UA169	ZRH	IAD	12/30/2017 11:55 a.m.	12/30/2017 3:00 p.m.	Not Boarded
UA169	ZRH	IAD	1/2/2018 11:55 a.m.	1/2/2018 3:00 p.m.	Boarded
AR1305	JFK	EZE	1/20/2018 2:45 p.m.	1/21/2018 2:40 a.m.	Boarded
AR513	EZE	JFK	1/26/2018 10:30 p.m.	1/27/2018 8:35 a.m.	Boarded
AR1305	JFK	EZE	4/20/2018 2:45 p.m.	4/21/2018 2:40 a.m.	Boarded
AR513	EZE	JFK	4/26/2018 10:30 p.m.	4/27/2018 8:35 a.m.	Boarded
AR1305	JFK	EZE	7/20/2018 2:45 p.m.	7/21/2018 2:40 a.m.	Boarded

AR513	EZE	JFK	7/26/2018 10:30 p.m.	7/27/2018 8:35 a.m.	Boarded
LH815	WSV	FRA	8/3/2018 7:55 p.m.	8/4/2018 12:55 p.m.	Boarded
LH1215	FRA	WSV	8/17/2018 2:25 p.m.	8/17/2018 7:45 p.m.	Not Boarded
LH1215	FRA	WSV	8/31/2018 2:25 p.m.	8/31/2018 7:45 p.m.	Boarded
AR1305	JFK	EZE	10/20/2018 2:45 p.m.	10/21/2018 2:40 a.m.	Boarded
AR513	EZE	JFK	10/26/2018 10:30 p.m.	10/27/2018 8:35 a.m.	Not Boarded
AA1012	GIG	MIA	10/29/2018 11:00 p.m.	10/30/2018 6:45 a.m.	Boarded
UA165	IAD	ZRH	12/21/2018 5:45 p.m.	12/21/2018 7:55 a.m.	Not Boarded
AR1305	JFK	EZE	12/22/2018 2:45 p.m.	12/23/2018 2:40 a.m.	Boarded
AR513	EZE	JFK	1/4/2019 10:30 p.m.	1/5/2019 8:35 a.m.	Boarded
LH815	WSV	FRA	1/11/2019 7:55 p.m.	1/12/2019 12:55 p.m.	Boarded
LH1215	FRA	WSV	1/21/2019 2:25 p.m.	1/21/2019 7:45 p.m.	Boarded
AR1305	JFK	EZE	3/8/2019 2:45 p.m.	3/9/2019 2:40 a.m.	Boarded
AR513	EZE	JFK	3/15/2019 10:30 p.m.	3/16/2019 8:35 a.m.	Boarded
AR1305	JFK	EZE	5/8/2019 2:45 p.m.	5/9/2019 2:40 a.m.	Boarded
AR513	EZE	JFK	5/15/2019 10:30 p.m.	5/16/2019 8:35 a.m.	Boarded

AR1305	JFK	EZE	6/8/2019 2:45 p.m.	6/9/2019 2:40 a.m.	Boarded
AR513	EZE	JFK	6/15/2019 10:30 p.m.	6/16/2019 8:35 a.m.	Not Boarded
AR513	EZE	JFK	6/29/2019 10:30 p.m.	6/30/2019 8:35 a.m.	Not Boarded
AR513	EZE	JFK	7/6/2019 10:30 p.m.	7/7/2019 8:35 a.m.	Not Boarded
AR513	EZE	JFK	7/30/2019 10:30 p.m.	7/31/2019 8:35 a.m.	Boarded
LH815	WSV	FRA	8/8/2019 7:55 p.m.	8/9/2019 12:55 p.m.	Boarded
LH1215	FRA	WSV	8/16/2019 2:25 p.m.	8/16/2019 7:45 p.m.	Boarded
AR1305	JFK	EZE	11/8/2019 2:45 p.m.	11/9/2019 2:40 a.m.	Boarded
AR513	EZE	JFK	11/15/2019 10:30 p.m.	11/16/2019 8:35 a.m.	Boarded
UA165	IAD	ZRH	12/20/2019 5:45 p.m.	12/21/2019 7:55 a.m.	Boarded
UA169	ZRH	IAD	12/31/2019 11:55 a.m.	12/31/2019 3:00 p.m.	Boarded
AR1305	JFK	EZE	3/13/2020 2:45 p.m.	3/14/2020 2:40 a.m.	Not Boarded
LH815	WSV	FRA	7/1/2020 7:55 p.m.	7/1/2020 12:55 p.m.	Boarded
LH1215	FRA	WSV	7/15/2020 2:25 p.m.	7/15/2020 7:45 p.m.	Boarded
AR1305	JFK	EZE	9/8/2020 2:45 p.m.	9/9/2020 2:40 a.m.	Boarded
AR513	EZE	JFK	9/15/2020 10:30 p.m.	9/16/2020 8:35 a.m.	Boarded

UA165	IAD	ZRH	12/18/2020 5:45 p.m.	12/18/2019 7:55 a.m.	Boarded
UA169	ZRH	IAD	1/4/2021 11:55 a.m.	1/4/2021 3:00 p.m.	Boarded
AR1305	JFK	EZE	3/12/2021 2:45 p.m.	3/13/2021 2:40 a.m.	Boarded
AR513	EZE	JFK	3/26/2021 10:30 p.m.	3/27/2021 8:35 a.m.	Not Boarded
AR513	EZE	JFK	4/9/2021 10:30 p.m.	4/10/2021 8:35 a.m.	Boarded
LH815	WSV	FRA	8/6/2021 7:55 p.m.	8/7/2021 12:55 p.m.	Boarded
LH1215	FRA	WSV	8/21/2021 2:25 p.m.	8/21/2021 7:45 p.m.	Boarded
AR1305	JFK	EZE	9/23/2021 2:45 p.m.	9/24/2021 2:40 a.m.	Not Boarded
AR513	EZE	JFK	9/27/2021 10:30 p.m.	9/28/2021 8:35 a.m.	Not Boarded

Summary of Wanda Maximoff's Account Balances (Present)

Meridian Bank Checking Account – \$14,534.52

Meridian Bank Savings Account – \$78,500.00

Meridian Bank Money Market Account – \$121,500.00

Meridian Bank Individual Retirement Account – \$90,634.00

Commerzbank Account (jointly held in Germany) – To Be Determined

Credit Suisse Account (jointly held in Switzerland) – To Be Determined





REPUBLICA ARGENTINA – MERCOSUR

REGISTRO NACIONAL DE LAS PERSONAS
MINISTERIO DEL INTERIOR



Apellido/Surname

MAXIMOFF

Nombre/Name

WANDA

Sexo/Sex

F

Nacionalidad/Nationality

ARGENTINA

Fecha de Nacimiento/Date of Birth

15 JAN 1982

Fecha de Emision/Date of Issue

15 JUN 2019

Fecha de Vencimiento/Date of Expiry

15 JUN 2034

Documento Nacional De Identidad



Documento/Document

00.000.000



Westview County Sheriff's Office
Toxicology Lab

Urinalysis Report

Subject:

Wanda Maximoff

Date of Sample:

9/23/2021

Date of Testing:

9/24/2021

Narrative:

On the date of subject's arrest on a federal criminal indictment and prior to her initial appearance, WCSO Deputy Thaddeus Ross transported the subject to the Westview County Jail for booking consistent with the Office's procedures. At 12:30 p.m., subject provided a voluntary urine sample in the privacy of a single-use restroom, the amount of which was measured at 46 milliliters (46 mL). The sealed sample was delivered to this Lab and stored for testing. The undersigned toxicologist analyzed the sample consistent with the Office's policy for gas chromatography/mass spectrometry.

Conclusion:

Testing of the subject's sample revealed the presence of tetrahydrocannabinol carboxylic acid (THC-COOH), the metabolite of marijuana's primary psychoactive ingredient delta-9-tetrahydrocannabinol (THC), at a concentration of 180 ng/mL. Undersigned detected no other findings consistent with the unlawful use of controlled substances.

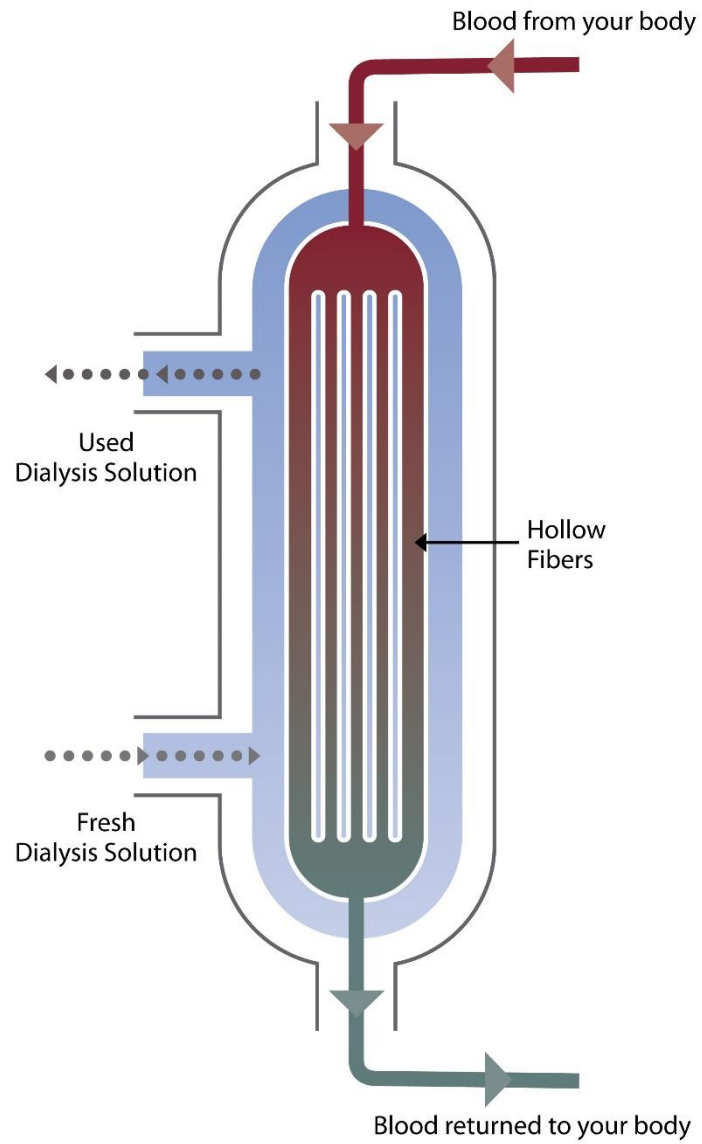
Sylvie Laufeydottir

Sylvie Laufeydottir
Toxicologist

Ravonna Renslayer

Ravonna Renslayer
Lab Supervisor

Hemodialysis Process





Judge: Lawsuit against county jail allowed to proceed

By CHRISTINA RAYNOR

December 19, 2019

WESTVIEW, Stet. (AP) – A federal judge in Westview entered an order today rejecting the county's effort to dismiss a case concerning the jail's medical treatment of detainees.

The case stems from an incident at the jail in November 2018, when inmate Joaquin Torres, who was awaiting trial on a burglary charge in Stetson state court, went into shock. Torres was transported to St. Anthony's Hospital, and his examination revealed that he missed two appointments for dialysis.

Torres filed suit in federal court earlier this year after his acquittal on the burglary charge and release from the county jail. Torres claimed that Ty Hayward, a corrections officer in the jail's medical department, and the county violated the United States Constitution by being deliberately indifferent to his serious medical needs.

Torres alleged that he was receiving routine dialysis prior to his arrest for chronic kidney disease, and the jail continued that treatment immediately afterward. Torres, however, was denied transportation to his dialysis treatment on two occasions in November 2018 due to staff shortages and security concerns. Torres said he complained of pain to Hayward at least three times prior to the incident resulting in his hospitalization. Torres said that he sustained irreparable damages to his heart and kidneys.

The county sought dismissal of the claims against it and Hayward, arguing there was no subjective knowledge of a risk of serious harm to sustain the claim of deliberate indifference, that the alleged conduct was not grossly inadequate, that there was no policy or practice to impose liability on the county, and on the basis of statutory sovereign immunity.

District Court Judge Wendy Lawson disagreed in a sternly worded 25-page order, explaining that Torres's allegations go beyond any mere difference in medical judgment. The court also took issue with the fact that the county had a policy to delegate decision-making to Hayward, who is not a licensed physician.

Hayward issued the following statement in response to the court's decision: "I am a corrections officer, and not a doctor. But I have always ventured to do my job in consultation with the advice of the county's best medical professionals, all of whom happened to work for or contract with our jail. The evidence will show that Torres posed a security risk and that his injuries are the result of his own conduct. The jail has a strict 'continuity of care' policy that we follow for all inmates when it is feasible and affordable to do so."