

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

v.

ROBERT MENENDEZ

and

SALOMON MELGEN,

Defendants.

Crim. No. 2:15-cr-00155
Hon. William H. Walls

**NOTICE OF SENATOR MENENDEZ'S MOTION TO DISMISS
THE INDICTMENT BASED ON VIOLATIONS OF THE
SPEECH OR DEBATE CLAUSE IN THE INDICTMENT
(Motion to Dismiss No. 1)**

PLEASE TAKE NOTICE that at a date and time to be determined by this Court, Defendant Senator Robert Menendez shall move, pursuant to Federal Rule of Criminal Procedure 12, before the Honorable William H. Walls, U.S.D.J., Martin Luther King, Jr. Building and U.S. Courthouse, 50 Walnut Street, Newark, N.J. 07101, for an Order dismissing the Indictment because all charges against Senator Menendez depend on proving allegations through evidence that is inadmissible under the Speech or Debate Clause.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, the Defendant shall rely upon the attached Motion to Dismiss. A proposed form of Order granting the Motion to Dismiss is also attached.

PLEASE TAKE FURTHER NOTICE that the Court will hear oral argument currently scheduled for September 17, 2015.

DATED: July 20, 2015

Respectfully submitted,

/s/ Abbe David Lowell

Abbe David Lowell
Jenny R. Kramer
Christopher D. Man
Scott W. Coyle
CHADBOURNE & PARKE LLP
1200 New Hampshire Avenue, N.W.
Washington, D.C. 20036
adlowell@chadbourne.com
(202) 974-5600

Raymond M. Brown
GREENBAUM ROWE SMITH & DAVIS LLP
Metro Corporate Campus One
P.O. Box 5600
Woodbridge, NJ 07095
rbrown@greenbaumlaw.com
(732) 476-3280

Stephen M. Ryan
Thomas J. Tynan
MCDERMOTT WILL & EMERY LLP
500 North Capitol Street, N.W.
Washington, D.C. 20001
sryan@mwe.com
(202) 756-8000

Counsel for Defendant Senator Robert Menendez