

**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 BEFORE THE GRAND JURY  
(Motion to Dismiss No. 2)**

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 the Grand Jury which returned charges against Senator Menendez was improperly presented with evidence which violates 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

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