

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JOHN C. PONTE

Plaintiff,

vs.

FEDERAL DEPOSIT INSURANCE
CORPORATION, *et al.*

Defendants.

Case No.: 1:24-cv-02379

**NOTICE OF SUBSEQUENT ACTIONS IN THE FDIC ADMINISTRATIVE HEARING
AGAINST PLAINTIFF PONTE, AND OF SUBSEQUENT AUTHORITY**

Plaintiff John C. Ponte hereby provides the Court with notice of dates and actions occurring in the FDIC administrative hearing and of authority occurring since the filing of his Motion for TRO on August 19, 2024:

- August 19, 2024 – Judge Whang referred Ponte’s Interlocutory Appeal regarding, among other things the as yet to be decided IAP issue, by Order to FDIC Board of Directors
- September 11, 2023 – Parties filed Pre-Hearing Statements, Joint Exhibit List, Joint Witness List, Proposed Stipulations, and Individual Exhibit Lists.
- September 19, 2023 – Judge Whang conducted an initial Pre-Hearing Conference.
- September 20, 2023 – Judge Whang entered an Order adopting Virtual Hearing Protocols.
- September 23, 2024 – At FDIC’s request, Judge Whang issued 17 hearing witness subpoenas.
- Week of September 23rd – Parties to confer and agree on hearing procedures, including processes relative to witness testimony.
- Week of September 23rd and 30th – Parties are to prepare sealed and public versions of hearing exhibits. They must also prepare hearing exhibit binder books for witnesses and judge.

- Week of October 7th – Judge Whang to conduct another Pre-Hearing Conference.
- October 11, 2024 – Parties are to report to U.S. Bankruptcy Court for the District of Rhode Island courtroom and prepare courtroom for trial.
- October 15, 2024 – Hearing start date. Mr. Ponte has been subpoenaed for October 15-25th. (Subpoena attached as Exhibit 1).

Notice of Subsequent Authority

On September 16, 2024, after briefing for the Plaintiff’s Motion for a Temporary Restraining Order and Defendants’ Motion to Dismiss had concluded, the U.S. District Court for the District of Texas issued a preliminary injunction enjoining an administrative proceeding from commencing. *See Aunt Bertha v. National Labor Relations Bd.*, Slip Copy, 2024 WL 4202383 (N.D. Tex. Sept. 16, 2024). A copy of the Memorandum Opinion and Order is attached as Exhibit 2.

Dated: September 26, 2024

Respectfully submitted,

/s/ John J. Vecchione
John J. Vecchione (DC Bar #431764)
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Counsel for John C. Ponte

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that foregoing document was filed on September 26, 2024 via this Court's electronic filing system. Undersigned counsel further certifies that the foregoing was served on all counsel of record via the notification of docket activity generated by this filing.

/s/ John J. Vecchione

Dated: September 26, 2024

Respectfully submitted,

/s/ John J. Vecchione

John J. Vecchione (DC Bar #431764)

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Counsel for John C. Ponte

CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2024, I electronically filed the foregoing Notice using the Court's CM/ECF system, which will send electronic notification of such filing to all counsel of record.

/s/ John J. Vecchione