

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

THE UNITED STATES OF AMERICA

v.

JAMES B. COMEY JR.,

Defendant.

No. 1:25-CR-00272-MSN

WAIVER OF ORAL ARGUMENT

Pursuant to Local Criminal Rule 47(E) and (J), undersigned counsel submits the Motion for Leave to File *Amici Curiae* Brief of University Professors and Scholars in Support of Defendant's Motion to Dismiss Indictment Based on Vindictive and Selective Prosecution on the papers. *Amici* waive argument on the Motion. Mr. Comey consents to the waiver. The United States indicated it opposes *amici's* motion but did not specify its position with respect to the waiver.

Dated: October 27, 2025

Respectfully submitted,

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**Pro Hac Vice Application Forthcoming*

CERTIFICATE OF SERVICE

I, Joshua Erlich, hereby certify that on October 27, 2025, I electronically filed the foregoing Waiver of Oral Argument, with the Clerk of the Court for the United States District Court for the Eastern District of Virginia by using the CM/ECF system. A true and correct copy of this brief has been served via the Court's CM/ECF system on all counsel of record.

Dated: October 27, 2025

/s/ Joshua Erlich

Joshua Erlich

*Counsel for Amici Curiae University
Professors and Scholars*