

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

<b>USDC SDNY</b>
<b>DOCUMENT</b>
<b>ELECTRONICALLY FILED</b>
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<b>DATE FILED:</b> 3/6/2018

-against-

17-cr-686 (LAK)

JAMES GATTO, etc., et al.,

Defendants.  
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**ORDER**

LEWIS A. KAPLAN, *District Judge.*

The Court is considering the entry of an order modifying the existing protective order by replacing paragraph 1 with the following new paragraph 1:


1(a) Any material reflecting (i) sensitive identification information (including, but not limited to, names, telephone numbers, addresses, email addresses, dates of birth, Social Security numbers, bank account information, credit card information, other sensitive financial information, and driver's license information) and (ii) any material that the government designates, or previously has designated, as "Confidential Information" (which may include but is not limited to (a) material the disclosure of which the government in good faith believes could jeopardize any ongoing criminal investigation or otherwise prejudice the due administration of justice or otherwise interfere with a fair trial, and (b) video recordings, photographs, audi recordings, judicially authorized wiretap recordings, wiretap applications, and line sheets and transcripts of judicially authorized wiretap recordings) is deemed "Confidential Information" and shall be so identified by the government.

(b) Any defendant may object to the designation pursuant to paragraph 1(a) of any material the government designates, or previously has designated, as Confidential Information. In the event of such an objection, the government and the defendant concerned shall meet and confer in an effort to resolve the issue. To whatever extent they fail to resolve the issue, the objector may file a motion for an order removing the designation from specified material. The government thereupon will have the burden of justifying the continuation of that designation. The material shall remain designated as Confidential Information unless and until the Court rules to the contrary.

Any objections or suggestions shall be filed no later than March 12, 2018.

SO ORDERED.

Dated: March 6, 2018

  
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Lewis A. Kaplan  
United States District Judge