

Judge Richard A. Jones

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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

SCHUYLER PYATTE BARBEAU,

Defendant.

NO. CR15-391RAJ

[PROPOSED] PROTECTIVE ORDER
REGARDING DISCOVERY MATERIALS

This matter came before the Court on the government’s Motion for Protective Order. The Court finds that good cause has been shown and orders as follows:

1. This Protective Order governs all discovery material in any format (written or electronic) that is produced by the government in discovery in the above captioned case that references the confidential source or the identities of any law enforcement agents (hereafter the “Protected Material”).

2. The United States will make available copies of discovery materials to defense counsel to comply with the government’s discovery obligations. Possession of copies of the Protected Material is limited to the defendant, attorneys of record, and investigators, paralegals, law clerks, experts and assistants for the attorneys of record, (hereinafter collectively referred to as members of the defense team).

1 3. The attorneys of record and members of the defense team may display and
2 review the Protected Material with the defendant, but may not leave any Protected
3 Material with him. The government will provide a redacted version of the discovery
4 materials to the defense team, which may be left with the defendant at FDC SeaTac. The
5 defendant, however, agrees not to provide the redacted version of the discovery to anyone
6 outside of the defense team.

7 4. The defendant, attorneys of record and members of the defense team
8 acknowledge that providing copies of the Protected Material to other persons is
9 prohibited, and agree not to duplicate or provide copies of the Protected Material to other
10 persons.

11 5. The Defendant may petition the Court to request modification or
12 termination of the Protective Order upon further review of the Protected Materials.

13 6. Nothing in this order should be construed as imposing any discovery
14 obligations on the government or the defendant that are different from those imposed by
15 case law and Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal
16 Rules.

17 7. Any Protected Material that is filed with the Court in connection with pre-
18 trial motions, trial, sentencing, or other matter before this Court, shall be filed under seal
19 and shall remain sealed until otherwise ordered by this Court. This does not entitle either
20 party to seal their filings as a matter of course. The parties are required to comply in all
21 respects to the relevant local and federal rules of criminal procedure pertaining to the
22 sealing of court documents.

23 8. The provisions of this Order shall not terminate at the conclusion of this
24 prosecution.

25 9. Any violation of any term or condition of this Order by the Defendant, his
26 attorney(s) of record, any member of the defense team, or any attorney for the United
27 States Attorney’s Office for the Western District of Washington, may be held in contempt
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1 of court, and/or may be subject to monetary or other sanctions as deemed appropriate by
2 this Court.

3 10. If the Defendant violates any term or condition of this Order, the United
4 States reserves its right to seek a sentencing enhancement for obstruction of justice, or to
5 file any criminal charges relating to the Defendant's violation.

6 DATED this _____ day of January, 2016.

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RICHARD A. JONES
United States District Court Judge

Presented by:

/s/ Thomas M. Woods
THOMAS M. WOODS
Assisted United States Attorney