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7 Attorneys for the United States

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 RYAN W. PAYNE,

14 Defendants.

2:16-CR-00046-GMN-PAL

**GOVERNMENT'S RESPONSE TO  
DEFENDANT RYAN PAYNE'S  
MOTION TO COMPEL  
ELECTRONIC ACCESS TO LEGAL  
MATERIALS  
(ECF Nos. 442)**

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16 **CERTIFICATION: This Response is timely filed.**

17 The United States, by and through the undersigned, respectfully submits  
18 its Response to Defendant Ryan W. Payne's ("Payne's") Motion to Compel  
19 Electronic Access to Legal Materials and the Ability to Communicate  
20 Telephonically with Defense Counsel in a Confidential Manner (C.R. 442)  
21 (hereinafter "Motion"). Payne's Motion was joined by the following co-defendants:  
22 Peter T. Santilli (C.R. 453), Ammon E. Bundy (C.R. 457), Joseph D.  
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1 O'Shaughnessy (C.R. 463), Blaine Cooper (C.R. 473), Cliven D. Bundy (C.R. 490),  
2 Jason D. Woods (C.R. 499) and Micah L. McGuire (C.R. 500).

3 The Motion addressing issues regarding counsels' access to defendant  
4 Payne and the other joined defendants as well as other issues related to the  
5 representation of the defendants, the relief being sought not affecting the  
6 Superseding Indictment or the government's case, and believing that this matter  
7 is best resolved in a pretrial conference with the Court (as opposed to Motion), the  
8 government does not, at this time, take a position on the relief requested in the  
9 Motion or the basis upon which it is sought. The government does, however, wish  
10 to inform the Court that this matter has been raised in Oregon in the case filed  
11 against the common defendants in *United States v. Bundy*, Case No.: 3:16-cr-  
12 00051. See Exhibits 1 and 2.

13 In the event the Court seeks further input, assistance, or information, the  
14 government stands ready to assist with same, if possible.

15 **DATED** this 10<sup>th</sup> day of June 2016.

16 Respectfully submitted,

17 DANIEL G. BOGDEN  
18 United States Attorney

19 //s//

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21 STEVEN W. MYHRE  
22 NICHOLAS D. DICKINSON  
23 Assistant United States Attorneys  
24 NADIA J. AHMED  
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1 CERTIFICATE OF SERVICE

2 I certify that I am an employee of the United States Attorney's Office. A  
3 copy of the foregoing **GOVERNMENT'S RESPONSE TO DEFENDANT RYAN**  
4 **PAYNE'S MOTION TO COMPEL ELECTRONIC ACCESS TO LEGAL**  
5 **MATERIALS (ECF Nos. 442)** was served upon counsel of record, via Electronic  
6 Case Filing (ECF).

7 DATED this 10<sup>th</sup> day of June, 2016.

8  
9 */s/ Steven W. Myhre*

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11 STEVEN W. MYHRE  
12 Assistant United State Attorney  
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