

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Kevin McNulty
v. : Crim. No. 15-576
KEILA RAVELO : AMENDED PROTECTIVE ORDER

This matter having come before the Court upon the application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Andrew Kogan, Assistant U.S. Attorney) pursuant to Rule 16(d)(1) of the Federal Rules of Criminal Procedure for a protective order concerning discovery materials, and information contained therein, including records, emails, computer data, recordings, texts, financial records, and other items, which will be provided or made available by the Government to defense counsel (the "Confidential Discovery Materials"); and for good cause shown,

IT IS on this 27th day of June, 2016,

ORDERED that:

1. The Confidential Discovery Materials shall be used only in the preparation of the defense in this case.
2. The Confidential Discovery Materials shall not be disclosed to anyone other than the defendant, defense counsel, and any agent working at the direction of defense counsel (collectively, the "Defense") in the above-captioned case.
3. Notwithstanding the provisions of Paragraph 2, the Defense shall be permitted to review the Confidential Discovery Materials with prospective witnesses and their counsel to the extent necessary to prepare the defense.

4. If any party, including the Government, intends to disclose publicly (and not under seal) any Confidential Discovery Materials in connection with the filing of a motion, that party shall notify the other party of its intent to do so in accordance with the Court's schedule for the provision of pre-marked exhibits and no less than five business days before filing the motion shall make specific notice to the other party. If any other party notifies the Court of its objection to such public disclosure and requests that the parties be heard on the issue, the public disclosure of the Confidential Discovery Materials shall not be made without leave of the Court.

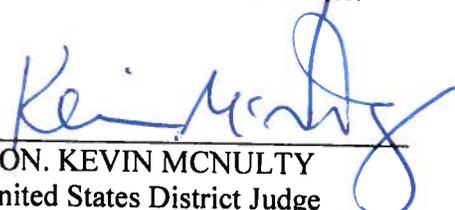
5. The Defense shall be permitted to disclose the Confidential Discovery Materials for use at trial, subject to Fed. R. Crim. P. 49.1 and any other applicable law or rules. If the Defense intends to disclose any Confidential Discovery Materials at trial, the defendant shall notify the Court and the Government prior to disclosing the material in accordance with the Court's schedule for the provision of pre-marked exhibits and shall make specific notice to the Government no less than five business days prior to disclosing the material at trial. If the Government notifies the Court of its objection to such public disclosure and requests that the parties be heard on the issue, the public disclosure of the Confidential Discovery Materials shall not be made without leave of the Court.

6. The Court recognizes that the Government may produce to the Defense certain Confidential Discovery Materials that may reflect information of MasterCard Incorporated or MasterCard International Incorporated ("MasterCard"), or other third parties, including information protected from disclosure under the attorney-client privilege, the attorney work product doctrine or other privileges and protections. Accordingly, pursuant to Federal Rule of Evidence 502(d), the act of production or

disclosure of Confidential Discovery Materials may not be relied upon or used in any way in the instant action or in any other federal or state litigation or proceeding to argue that MasterCard or other third parties waived their attorney-client privilege, work product protection, or any other privilege or protection that may be applicable to the document or information produced or to any other document, information, or communication, whether disclosed or undisclosed. This Court shall retain jurisdiction pursuant to Rule 502(d) to adjudicate any dispute regarding the assertion of waiver based on the act of production or disclosure pursuant to this Protective Order.

7. The Defense shall not disclose the Confidential Discovery Materials beyond the uses described in Paragraphs 1 through 6 of this Order without leave of the Court obtained on application to the Court with notice to the Government.

8. The Defense agrees to return to the producing party, or to certify that it has destroyed, all Confidential Discovery Materials at the conclusion of this matter.


HON. KEVIN MCNULTY
United States District Judge