

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

UNITED STATES OF AMERICA

v.

ERICA MONTGOMERY, ET AL.,

Defendants.

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CASE NO. 4:20-CR-32-CDL-MSH

ORDER

The United States has moved for an order, pursuant to Federal Rule of Evidence 502(d), that its anticipated disclosure to the defendants of materials and information identified in its *Ex Parte* Motion (the “Materials”) does not constitute a waiver of any applicable privilege(s) or protection(s) from discovery in this case or any other federal or state proceeding, case, matter, or investigation.

The Court finds that good cause exists for such an order.

Accordingly, the Court orders that the United States’ disclosure to the defendants of the Materials does not constitute a waiver of any applicable privilege(s) or protection(s) from discovery that may exist in this case or any other federal or state proceeding, case, matter or investigation. *See* Fed. R. Evid. 502(d). The Order shall be interpreted to provide the maximum protection allowed by applicable law.

The Court expresses no view as to whether any of the Materials are in fact privileged or protected, or whether the Materials are subject to discovery under Federal Rule of Criminal Procedure 16, *Brady v. Maryland*, 373 U.S. 83 (1963), or any other statute, rule, or decision.

To provide the United States with an opportunity to object to the public disclosure of materials the United States claims to be privileged or protected, and to provide the Court with an opportunity to fully consider any dispute between the parties as to this issue, the Court further orders that the defendants shall not reference or use any of the Materials in a public filing or in open court without prior permission from the Court.

The Materials shall be otherwise subject to the Protective Order (Dkt. No. 91) entered by this Court in this case.

Date: 2/28/2022

S/Clay D. Land
THE HONORABLE CLAY D. LAND
JUDGE, U.S. DISTRICT COURT