UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 21-6149-MJ-HUNT

UNITED STATES OF AMERICA

vs.

CINDI ELLIS DENTON,

Defendant.
_____/

GOVERNMENT'S UNOPPOSED MOTION FOR A PROTECTIVE ORDER REGULATING DISCLOSURE OF LIMITED DISCOVERY AND SENSITIVE INFORMATION CONTAINED THEREIN

The United States of America files this unopposed motion for a protective order regulating disclosure of limited discovery materials in this case and certain sensitive information contained therein ("Limited Discovery"). The government seeks to disclose Limited Discovery to counsel for the defendant, Cindi Ellis Denton, prior to the arraignment, which is currently scheduled for June 21, 2021. (DE 11).[1]

The Complaint in this case charges wire fraud, bank fraud, and conspiracy and attempt to commit wire fraud and bank fraud. The Limited Discovery includes, among other things, documents containing personal identification information ("PII") (*e.g.*, names, dates of birth, and

[1]In response to the global COVID-19 pandemic, the Chief Judge for the Southern District of Florida has entered several administrative orders continuing jury trials and trial deadlines, and restricting grand jury presentations in the District. Specifically, on April 6, 2021, the most recent order, Administrate Order 2021-33 ("AO 2021-33"), continued jury trials and all trial-specific deadlines in criminal cases scheduled to begin before July 6, 2021. AO 2020-33 ¶ 6, 7. AO 2020-33 further restricted grand jury sessions for the Southern District of Florida to two per week, as opposed to the pre-pandemic norm of eleven sessions per week. AO 2020-33 ¶¶ 14, 15. AO 2020-33 also excluded the period from March 26, 2020, through July 6, 2021, for purposes of the Speedy Trial Act requirement that an information or indictment charging an individual with the commission of an offense be filed within 30 days from the date on which such individual was arrested. *See also* Administrative Order 2021-12; Administrative Order 2020-76; Administrative Order 2020-53; 2020-41; Administrative Order 2020-24; Administrative Order 2020-21; and Administrative Order 2020-18.

social security numbers), bank account information, and other sensitive information (collectively, the "Sensitive Information"). The Sensitive Information in this case is an essential component of the crimes alleged in the Complaint. Therefore, counsel for the defendant will need to review the specific Sensitive Information to fully understand the allegations. Accordingly, to ensure the protection of the Sensitive Information and to avoid the disclosure of this information to other individuals, the government requests that the Court enter an order regulating disclosure of the Limited Discovery as follows:

1. The government is authorized to disclose Sensitive Information in its possession that the government believes will help counsel understand the allegations in the Complaint, prior to the entry to the Standing Discovery Order;

2. The government shall produce the Limited Discovery as follows. The Government shall mark that portion of the Discovery that includes Sensitive Information as "Confidential," which will be governed by the following rules.

3. With respect to the Confidential portion of the Limited Discovery, the following rules shall apply:

a. Counsel of record for the defendant in this proceeding shall hold the Confidential portion of the Limited Discovery in strictest confidence. Therefore, defense counsel shall restrict access to this discovery, and shall disclose this discovery to their client, office staff, investigators, and to anticipated fact or expert witnesses only to the extent that defense counsel believes is necessary to assist in the defense of their client in this matter and in a manner that will prohibit the disclosure of this discovery to other persons not involved in the defense;

b. Counsel of record for the defendant shall advise any person to whom the Confidential portion of the Limited Discovery is disclosed that such information shall be held in

strict confidence, and that further disclosure or dissemination is prohibited without defense counsel's express consent; and

c. Counsel of record for the defendant shall obtain a certification from each person to whom the Confidential portion of the Limited Discovery is disclosed, excluding members of the attorney's office staff, in which the recipient, (a) acknowledges these restrictions as set forth in the Protective Order of the Court, and (b) agrees that they will not disclose or disseminate the information without express consent of defense counsel. Counsel shall keep a copy of each certification to identify the individuals who received the Confidential portion of the Limited Discovery and the date on which such information was first disclosed.

d. Counsel of record agrees that, upon conclusion of the above captioned case, copies of the Limited Confidential portion of the Discovery disclosed to defense counsel pursuant to the terms of this order shall be destroyed or returned to the United States.

Counsel for the defendant does not oppose the relief requested herein.

Respectfully submitted,

JUAN ANTONIO GONZALEZ
ACTING UNITED STATES ATTORNEY

By: *<u>/s/ Lindsey Lazopoulos Friedman</u>*

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 13, 2021, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

/s/ Lindsey Lazopoulos Friedman
Lindsey Lazopoulos Friedman
Assistant United States Attorney