

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DAVID EBRAHIMZADEH

Criminal No. 25-cr-10455-RGS

ASSENTED-TO MOTION FOR DISCOVERY PROTECTIVE ORDER

Pursuant to Federal Rule of Criminal Procedure 16(d), the government, with the assent of the defendant, hereby moves for the entry of a protective order, which will enable the government to produce relevant evidence to the defendant while protecting confidential or sensitive information, including Social Security numbers, dates of birth, home addresses, and bank account numbers of unindicted co-conspirators and witnesses, as well as other information that could pose a serious risk of harm to an individual or entity or risk obstructing the government's ongoing investigation if disseminated. As grounds for this motion, the government states as follows:

The indictment charges the defendant with bank fraud, wire fraud affecting a financial institution, wire fraud, and procuring the filing of a false tax return. The indictment alleges that the defendant fraudulently obtained over \$8 million in pandemic relief loans from the United States by making false statements in support of those applications and applying on behalf of ineligible and defunct entities. The indictment refers to numerous individuals (at ¶¶ 3-8) who were involved in the defendant's fraudulent activities. Although only the defendant is charged in the indictment, the government's investigation is ongoing, and there are multiple unindicted co-conspirators, with whom the defendant has been ordered to have no contact.

The government will be producing in automatic discovery over 1.3 million pages of documents. Some of these documents contain the personal identifying information and sensitive financial information of witnesses and unindicted co-conspirators, as well as the defendant. Moreover, some of the materials that the government will be producing in automatic discovery, including a portion of a phone extraction, text messages, and contents of email accounts, contain personal and sensitive information of witnesses and unindicted co-conspirators. Given the scope of the production, redacting PII and other personal and sensitive information from these documents is impractical. Moreover, the dissemination of some of these materials could pose a risk to the integrity of the government's ongoing investigation and/or a risk of harm to an individual.

The government wishes to provide these materials promptly. However, given the volume of discovery, it would be impractical to apply redactions to all personally identifying information such as dates of birth and social security numbers, or other potentially sensitive information such as bank account numbers.

For these reasons, the government moves, pursuant to Rule 16 of the Federal Rules of Criminal Procedure and Local Rules 7.2 and 116.6, for a protective order and proposes that the Court enter the order attached.

The proposed protective order differentiates between classes of discovery material, with some materials subject to greater restrictions than others. The proposed protective order provides that all discovery materials may only be used for the defense of this case and cannot be further distributed except under narrow circumstances. It further provides that for any particularly sensitive documents that the government designates as "Confidential" ("Confidential Discovery Materials"), while the defendant may view the materials, he may not personally possess a copy;

those items are to be maintained by his counsel and viewed with his counsel. The government anticipates using this designation sparingly.

Any Confidential Discovery Materials that are filed with the Court in connection with pre-trial motions, trial, sentencing, or other matters before this Court shall be filed under seal and shall remain sealed until otherwise ordered by this Court. The Protective Order does not entitle either party to seal its filings as a matter of course; it requires the parties to comply in all respects with the relevant local and federal rules of criminal procedure pertaining to the sealing of court documents. It permits the parties to seek modifications of the Protective Order in the future and permits the defendant to challenge any confidentiality designation made by the government.

Respectfully submitted,

UNITED STATES OF AMERICA

By its attorney,

LEAH B. FOLEY

United States Attorney

/s/ Elianna J. Nuzum

Elianna J. Nuzum

Assistant United States Attorney

John Joseph Moakley U.S. Courthouse

One Courthouse Way, Suite 9200

Boston, MA 02210

elianna.nuzum@usdoj.gov

617.748.3100

ALLOWED David H. Hennessy U.S.M.J.
Jan 16, 2026

Dated: January 14, 2026

LOCAL RULE 7.1(A)(2) CERTIFICATION

I hereby certify that, consistent with Local Rule 7.1(a)(2), the parties have conferred and attempted in good faith to resolve or narrow the issues presented in this motion, and the defendant, through counsel, has assented to this motion.

/s/ Elianna J. Nuzum

Elianna J. Nuzum

CERTIFICATE OF SERVICE

Undersigned counsel certifies that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Elianna J. Nuzum

Elianna J. Nuzum

Assistant United States Attorney

Dated: January 14, 2026