

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION**

UNITED STATES OF AMERICA	)	
	)	CASE NO. 3:22-CR-09
v.	)	
	)	
GLADYS HARUN	)	

ORDER

Pending before the Court is the parties' Joint Motion for a Protective Order Governing Certain Discovery, wherein the parties request the process detailed below be used in the review and production of materials obtained from three search warrants (docs. 51, 55, and 59, collectively "Three Warrants"). Based upon the parties' joint application, and for good cause shown therein, it is hereby **ORDERED** that the following procedures shall be used to filter records directly obtained from the Three Warrants:

I. Designation of Filter Agent

a. U.S. Secret Service Special Agent J. Craig Reno, Resident Agent in Charge of the Savannah Resident Office, shall serve as the filter agent to review potentially protected material produced as a result of the Three Warrants. Special Agent Reno has not been directly involved in the investigation of this case and will not be involved with the primary prosecution team's investigation moving forward, unless some further privilege issue arises requiring additional review.

II. Prohibitions on Filter Agent

a. As filter agent, Special Agent Reno is prohibited from discussing with

any agent or prosecutor assigned to this case, or any other person not assigned to the filter team, any protected information he learns as a result of his assignment to this filter team. He may not reveal or discuss the contents of any document, file, or item determined to contain presumptively protected or potentially protected material to any other person, except counsel for the appropriate defendant, unless otherwise ordered by this Court or first obtaining approval of this Court. Should he be subpoenaed to provide any protected information, he should provide a copy of this Order to any person or entity subpoenaing him and alert counsel for Defendant.

III. Review by the Filter Agent

a. Special Agent Reno shall be responsible for making the initial determination as to whether any of the seized items contain protected information. He has submitted the email search warrants to Google and Yahoo, and he has submitted the cellular phone to be imaged by U.S. Secret Service's forensic office in Atlanta.

b. In all instances, in making the initial determination as to whether a document or item contains protected material, Special Agent Reno should err on the side of caution and treat any questionable item as protected material.

c. If the document or item contains protected material, Special Agent Reno should redact or extract the protected material as instructed below.

d. As to the cellular phone, the entire contents of the phone shall be "imaged" or copied by a forensic computer analyst or other qualified designated individual. The original cellular phone should then be placed in a sealed container,

which should be lodged in a secure evidence room and should not be opened by anyone other than Special Agent Reno, absent a court order. The container should be labeled: “Contains potentially protected material.” The individual imaging or copying the contents of the cellular phone shall not access or review any of its image or copy, unless authorized by and consistent with these instructions.

i. After a forensic image of the cellular phone is created, in order to identify protected communications, Special Agent Reno may then access the item and conduct a keyword search, utilizing keywords jointly provided by the AUSA and counsel for Defendant.

ii. Special Agent Reno will review the materials on the cellular phone to determine whether the items are protected.

iii. If any protected material is identified in that or any other manner, the Special Agent Reno will redact the material, or if redaction is not possible, extract the material by placing it on separate media, place the media in a container identified as containing potentially protected information, and seal the container when not being reviewed. Further, if an item appears to be protected, Special Agent Reno should not review the item, except as necessary to make the initial determination.

e. As to the email search warrant returns, Special Agent Reno shall review all items seized by conducting a keyword search, utilizing keywords jointly provided by the AUSA and counsel for Defendant, and determine whether the item contains protected material. If any protected material is identified in that or any other

manner, he should redact the material, or if redaction is not possible, extract the material by placing it on separate media, place the media in a container identified as containing potentially protected information, and seal the container when not being reviewed. Further, if an item appears to be protected, Special Agent Reno should not review the item, except as necessary to make the initial determination.

f. If an item may contain protected material but Special Agent Reno is not certain, he may consult with a filter AUSA. If a filter AUSA is needed, counsel for Defendant shall be advised of the AUSA, and such AUSA may not be involved in the investigation or prosecution of the case, nor should the filter AUSA discuss any protected information with any agent or prosecutor assigned to this case that he or she learns as a result of his/her assignment to the filter team.

IV. Transmission to Defense Counsel

a. Once Special Agent Reno completes his review and has redacted or otherwise extracted protected material, Special Agent Reno shall send all materials directly obtained from the Three Warrants to Counsel for Defendant in a manner that identifies which protected material has been redacted or extracted.

b. Upon receipt, counsel for Defendant should review the materials to ensure all protected materials are redacted or extracted. If defense counsel believes further redactions are necessary, he shall alert Special Agent Reno and any filter AUSA. If a dispute arises about the need to redact/extract further protected material, counsel for defendant and the filter AUSA may raise those issues to the Court in a sealed manner that does not expose any potentially protected material to the

prosecution team.

V. Transmission to Prosecution Team

a. After counsel for Defendant has completed his review and determines no further protected material remains, Special Agent Reno shall make a copy of non-protected files, data, documents, images or other material obtained from the Three Warrants and provide the copy to investigative agents and prosecutors. Another copy will be lodged in the Secret Service's evidence room.

10. If, despite the procedures outlined above, an investigative agent or prosecutor finds in the items provided by the filter team any tangible, documentary, or electronic data that appears to contain protected information, they will not examine it further, and will immediately notify Special Agent Reno and counsel for Defendant.

VI. Applicable Legal Standards

a. In reviewing items pursuant to this Order, Special Agent Reno is advised that the attorney-client privilege “protects disclosures made by a client to his attorney, in confidence, for the purpose of securing legal advice or assistance.” *Knox v. Roper Pump Co.*, 957 F.3d 1237, 1248 (11th Cir. 2020). Its purpose is “to encourage full and frank communication between attorneys and their clients and thereby promote broader public interests in the observance of law and administration of justice.” *United States v. Zolin*, 491 U.S. 554, 562 (1989) (internal quotation marks omitted).

b. The attorney work product doctrine, on the other hand, “extends to

material obtained or prepared by counsel in the course of their legal duties provided that the work was done with an eye toward litigation.” *Drummond Co., Inc. v. Conrad & Scherer, LLP*, 885 F.3d 1324, 1334–35 (11th Cir. 2018) (citations omitted). That doctrine prevents inquiries into an attorney’s work files and mental impressions. *Hickman v. Taylor*, 329 U.S. 495, 510, 67 S.Ct. 385, 91 L.Ed. 451 (1947). The purpose of this protection is to protect the integrity of the adversary process by allowing a lawyer to work “with a certain degree of privacy, free from unnecessary intrusion by opposing parties and their counsel.” *Id.*

So ORDERED this _____ day of September, 2022.

JUDGE, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA