

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Case No. 3:07-cr-00056-01-JWS

Plaintiff,

v.

PETER KOTT

Defendant.

**PROTECTIVE ORDER GOVERNING DISCOVERY MATERIAL
PROVIDED AFTER JUNE 1, 2009**

THIS MATTER COMING BEFORE THIS COURT on the Unopposed Motion of the United States for entry of a protective order concerning the disclosure of discovery material provided by the government after June 1, 2009, in light of the confidential and law-enforcement-sensitive information which may be disclosed in accordance with the government's discovery obligations, the government's motion is GRANTED and IT IS HEREBY ORDERED:

1. Discovery material provided by the government to the defendant after June 1, 2009, shall be reviewed only by the defendant; attorneys of record; employees of such attorneys to whom it is necessary that the materials be shown for the purposes of preparation, trial, and appeal of this matter; witnesses or potential witnesses; and experts or consultants assisting in the preparation, remand, trial and appeal of this matter. No additional copies of such materials shall be made except as necessary for the preparation, trial and appeal of this matter. Such witnesses, experts or consultants to whom discovery material is disclosed must be served with a copy of this Protective Order prior to disclosures of discovery material to them.

2. Discovery material provided by the government to the defendant after June 1, 2009 shall be used solely for the preparation, remand, trial and direct appeal of this matter and for no other purpose whatsoever. Discovery material disclosed to the defendant shall not be disclosed to any other individual or entity in any manner other than that authorized by this order, or by further order of this Court.

3. For any discovery material provided by the government to the defendant after June 1, 2009, the defendant (as well as his attorneys, agents, and representatives) shall not reference in any public forum - including during oral argument or in publicly filed pleadings - any information contained in that discovery material without either (a) the prior express written consent of the government, or (b) obtaining leave of the Court.

4. Within 60 days from the conclusion of these proceedings and any direct appeal from or collateral attack upon these proceedings, the discovery material disclosed by the government and any duplicates made in the preparation, trial and direct appeal of this mater shall be returned to the government or destroyed by the defendant, unless the Court gives specific permission for an exception to this requirement.

5. This Order does not overrule any prior protective orders entered by the Court which govern discovery productions made prior to June 1, 2009. Any prior protective order remains in effect and continues to apply to discovery material provided to the defendant by the government prior to June 1, 2009.

DATED this 22nd day of June, 2009.

/s/John W. Sedwick
United States District Judge