UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION

FILED

JUL 2 0 2005

RK, U.S. COURT
STERN DISTRICT OF TEXAS

IN RE: Request from Requesting State
Pursuant to the Treaty Between the United
States of America and the Requesting State
on Mutual Assistance in Criminal Matters

§

CAUSE NO. SA-04-CA-676-OG

ORDER GRANTING IN PART MOTION TO UNSEAL

Before the Court is Movants' "Motion to Unseal and for Expedited Hearing" filed October 22, 2004 (originally filed in cause number SA-04-CA-954-OG). Having reviewed the government's response to the court's order requiring a response and the movants' reply, the Court enters the following order:

- 1. The following documents are unsealed <u>in the redacted form</u> as tendered by the United States on June 23, 2005:
 - a. "Government's Response to the Court's Order Requiring a Response from the Government."
 - b. "Memorandum of Law in Support of Application for Order" together with the attached redacted exhibits.
 - "Application for Order Pursuant to the Treaty on Mutual Assistance in Criminal Matters and Title 28, United States Code, Section 1782" together with the attachment.
 - d. "Certification."
 - 2. The following documents shall be unsealed in their entirety:
 - "Application for Order Pursuant to the Treaty on Mutual Assistance in Criminal
 Matters and Title 28, United States Code, Section 1782" filed July 30, 2004.



[NOTE TO CLERK: only the one-page "Application for Order ..." shall be unsealed; the "Memorandum of Law in Support of Application for Order" filed the same day shall remain sealed as specified in paragraph "3." below.]

- b. "Motion to Seal" filed July 30, 2004.
- c. "Order" regarding treaty request dated July 31, 2004.
- d. "Order to Seal" dated July 31, 2004.
- e. "Government's Response to Motion to Unseal" filed November 5, 2004.
- f. "Movants' Reply to Government's Response to Motion to Unseal" filed November 16, 2004.
- g. "Order" signed December 9, 2004 regarding movants' motion to unseal.
- "Government's Request for a Ten Day Extension for an in Camera Review of the
 Italian Government's Request to Seal" filed December 21, 2004.
- i. "Order Granting Government's Motion for Extension of Time" signed December21, 2004.
- j. Cover letter from Don J. Calvert dated January 3, 2005 and filed the same day tendering the letter from the Italian authorities. [NOTE TO CLERK: As indicated below in paragraph "3.", the letter from the Italian authorities and the copies of the translation of the letter are to remain sealed; only the one-page cover letter from Mr. Calvert is to be unsealed.]
- Worder Consolidating Cases and Requiring Response from the Government" signed May 24, 2005.
- 1. "Movants' Reply to Government's Response to the Court's Order Requiring a

Response from the Government" filed July 1, 2005.

- m. This order.
- 3. The following documents shall **REMAIN SEALED** in their entirety:
- a. "Memorandum of Law in Support of Application for Order" filed July 30, 2004.

 [NOTE TO CLERK: this is the <u>unredacted</u> copy originally filed in this case which shall remain under seal and should be contrasted with the redacted versions of the same documents ordered unsealed in paragraph "1." above.]
- b. All copies of the letter from the Italian authorities dated December 21, 2004 submitted for in camera review together with the English translation. (Copies are found attached to the government's cover letter of January 3, 2005 and attached to the left-hand side of the clerk's file.)

Movants' motion to unseal and for expedited hearing is GRANTED IN PART as specified above.

SIGNED this $\frac{20}{\text{day of}}$ day of $\frac{\text{Joly}}{\text{Sully}}$, 2005.

ORLANDO L. GARCIA

UNITED STATES DISTRICT JUDGE