

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<b>UNITED STATES OF AMERICA</b>	:	
	:	
v.	:	<b>Case No. 21-cr-134 (CJN)</b>
	:	
<b>MARK SAHADY,</b>	:	
	:	
<b>Defendant.</b>	:	

**UNITED STATES' UNOPPOSED MOTION FOR AMENDED PROTECTIVE ORDER**

The United States of America hereby respectfully moves the Court for the entry of an amended protective order governing the production of discovery by the parties in the above-captioned case.

1. Defendant is charged via indictment with offenses related to crimes that occurred at the United States Capitol on January 6, 2021.

2. On or about March 22, 2021, the government moved for entry of a protective order in this case. Dkt. Entry 13. The government's motion was unopposed. On or about April 1, 2021, the Court granted the motion and entered the protective order. *See* Dkt. Entry 16. The government moved for entry of an updated protective order on or about January 19, 2022. Dkt. Entry 34. That motion was also unopposed. The Court entered the updated protective order on January 21, 2022. Dkt. Entry 35.

3. The government now seeks entry of an amended protective order that provides additional protection to particularly sensitive materials that will be produced in this case pursuant to the government's obligations under the Jencks Act and *Brady v. Maryland*, 373 U.S. 83 (1963). Specifically, the government will provide the defense with a forensic image of a civilian witness's

cellular telephone that was created pursuant to a signed consent to search form. The forensic image contains personal information of the witness, including but not limited to, personal identifying information, address information for the witness and family members, personal correspondence, and personal records, photographs and videos. Accordingly, the proposed Amended Protective Order includes a paragraph (paragraph 16) that requires the forensic image be viewable by attorneys only and that the materials be destroyed or returned to the U.S. Attorney's Office after the completion of this matter or at the conclusion of the attorney's representation of the defendant. The proposed Amended Protective Order is identical to the previous protective order (Dkt. Entry 35) in all other respects.

4. There is good cause to enter the Amended Protective Order, namely to protect the privacy and security of a third-party civilian witness and his/her family members. Additionally, the Amended Protective Order is appropriately narrow in scope so as to allow for heightened limitations on the use and retention of only this material.

5. The undersigned conferred with counsel for the defendant who does not oppose this motion.

Respectfully submitted,

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