IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATE OF AMERICA :

: Misc. No.

v.

UNDER SEAL

SEAN GARLAND,

CHRISTOPHER JOHN CORCORAN,

DAVID LEVIN, : TERENCE SILCOCK, : HUGH TODD, :

ALAN JONES, : and :

MARK ADDERLEY, :

:

Defendant. :

ORDER TO SEAL

Having considered the Government's Motion to Seal Criminal Indictment and Delay Its Entry on the Public Docket, which indictment was returned on May 19, 2005, and for good cause stated therein, the Court makes the following:

FINDINGS OF FACT

- 1. Fed. R. Cr. P. 6(e)(4) permits the sealing of an indictment for any legitimate prosecutorial reason.
- 2. Sealing the Indictment in the above-captioned matter will further the legitimate prosecutorial interest by enabling the government to conclude a sensitive ongoing criminal investigation, in another district, which the government represents could be adversely affected if the nature and extent of the charges in the Indictment in this case were to become public knowledge at this time.

- 3. The premature public docketing at this time of the Indictment, the Government's Motion to Seal, and this Order, could compromise the government's ability effectively to conclude that other ongoing investigation.
- 4. Accordingly, under <u>Washington Post v. Robinson</u>, 935 F.2d 282, 289 n.10 (D.C. Cir. 1991), these facts present an extraordinary situation and a compelling governmental interest which justify the sealing of the Indictment, the Motion to Seal, and any Order to Seal, until such time as the government informs the Court that sealing is no longer necessary.

Based on the foregoing Findings of Fact, the Motion is hereby

GRANTED, and it is hereby

ORDERED that the Indictment in this matter, as well as the Government's Motion to Seal and this Order, be sealed by the Clerk of the Court until further order of this Court, except that the United States Government may disclose the existence and/or contents of the Indictment to any federal law enforcement officers and members of the Executive Branch to the extent that such disclosure is in furtherance of their lawful functions related to this matter, including permitting disclosure to officials of foreign governments as may be necessary to secure custody of defendants for prosecution; and it is

FURTHER ORDERED that the Clerk's office shall not make any entry on the public docket in this case of the Indictment in this case, the filing of the Government's Motion to Seal, and the Order granting such motion, until the Court orders otherwise; and it is

FURTHER ORDERED that the Clerk of the Court shall provide to the United States

Attorney's Office certified copies of the Indictment upon request.

Date:	
	UNITED STATES MAGISTRATE JUDGE

cc: Laura A. Ingersoll
Brenda J. Johnson
Assistant United States Attorneys