

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

THOMAS ANDREWS DRAKE,

Defendant.

\*  
\*  
\*  
\*  
\*  
\*  
\*

Case No. RDB 10 CR 1081

\*\*\*\*\*

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
2010 APR 29 P 3:03  
CLERK'S OFFICE  
AT BALTIMORE  
BY [Signature] DEPUTY

PROTECTIVE ORDER

THIS MATTER COMING BEFORE THIS COURT on the stipulation of the parties for entry of a protective order concerning the disclosure of certain materials exchanged between the parties in this matter, in light of the sensitive nature of the information which may be disclosed in accordance with Fed. R. Crim. Pro 16 and other discovery obligations of the parties as provided by law,

Accordingly, it is this 29<sup>th</sup> day of April, 2010, by the United States District Court for the District of Maryland, ORDERED:

1. All Protected Material exchanged between the parties will be handled in accordance with the terms of this Protective Order. The term "Protected Material" shall be defined for purposes of this order as (A) the following material provided by the United States to the defendant: (i) FBI 302s, (ii) *Jencks* Act witness statements, (iii) grand jury transcripts; (iv) Rule 16 discovery; (v) *Brady/Giglio* information, and (B) the following material provided by the defendant to the United States: (i) Rule 16 discovery; and (ii) reverse *Jencks* Act witness statements.

2. Protected Material provided by the United States to the defendant shall be reviewed

only by defendant, his attorneys of record, employees of such attorneys to whom it is necessary that the materials be shown for the purposes of preparation, trial, sentencing, and appeal of this matter, witnesses or potential witnesses and their counsel, and experts or consultants assisting in the preparation, trial and appeal of this matter. No additional copies of such materials shall be made except as necessary for the preparation, trial, sentencing, and appeal of this matter. Such witnesses, counsel, experts or consultants to whom Protected Material is disclosed must be served with a copy of this Protective Order prior to disclosures of Protected Material to them.

3. The same conditions and restrictions apply to Protected Material provided by the defendant to the United States. It is understood that among the persons to whom the government will need to disclose certain Protected Material are law enforcement agents engaged in the preparation for trial or hearings in this case, witnesses and potential witnesses, and representatives of NSA .

4. Protected Material disclosed by the parties shall be used solely for the preparation, trial, sentencing, and direct appeal of this matter and for no other purpose whatsoever. The contents of the Protected Material disclosed to the defendant or by the defendant shall not be disclosed to any other individual or entity in any manner except to a photocopy service as agreed by the parties or by further order of this Court.

5. Nothing in this Protective Order limits the defendant or the United States from disclosing Protected Material in this or related judicial proceedings, including motions, hearings, trial, or appeal.

6. The Court and the parties understand that this Protective Order does not apply to classified materials, and that the handling and protection of classified materials must be

addressed separately pursuant to the Classified Information Procedures Act (CIPA).



---

HONORABLE RICHARD D. BENNETT  
United States District Judge