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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,
Plaintiff,
vs.
Thomas Mario Costanzo, et al.,
Defendants.

CR-17-00585-PHX-JJT

ORDER

Pursuant to 26 U.S.C. § 6103(i)(4)(A) and Federal Rule of Criminal Procedure 16(d)(1), and good cause appearing,

IT IS ORDERED granting the United States’ Motion for Limited Disclosure of Tax Information and for a Protective Order (Doc. 37).

IT IS FURTHER ORDERED that the United States may disclose to defense counsel and Defendants return and return information obtained pursuant to 26 U.S.C. § 6103(i), in accordance with its discovery obligations pursuant to Federal Rule of Criminal Procedure 16 and 18 U.S.C. § 3500. For purposes of this Order, “return” and “return information” shall be defined as set forth in 26 U.S.C. § 6103(b).

IT IS FURTHER ORDERED that the United States may disclose to defense counsel and Defendants documents containing personal identifying information (“PII”) of third parties.

IT IS FURTHER ORDERED that the United States may disclose to defense counsel and Defendants additional returns, return information, or PII subject to its continuing duty of disclosure pursuant to Federal Rule of Criminal Procedure 16(c)

1 without making separate application to the Court.

2 **IT IS FURTHER ORDERED** that defense counsel shall maintain all returns,
3 return information and PII from the United States in the defense counsel's custody and
4 disclose said information only to Defendants, defense investigators, agents or experts as
5 necessary for purposes of the defense of this case. Defendants, defense investigators,
6 agents, and experts receiving such information shall not reproduce or disseminate any
7 returns, return information, or unredacted PII of third parties without further order of the
8 Court and must return any copies of such material to defense counsel at the conclusion of
9 this case.

10 **IT IS FURTHER ORDERED** that this Order shall be presented to any individual
11 to whom, under the terms of this Order, Defendants or defense counsel disclose the
12 returns, return information, or PII. By accepting any returns, return information or PII,
13 such persons agree to submit to the jurisdiction of the United States District Court for the
14 District of Arizona for the sole purpose of enforcing the terms of this Order.

15 **IT IS FURTHER ORDERED** that, with respect to any copies made at the
16 request and expense of defense counsel of evidence that is stored by the Internal Revenue
17 Service in relation to this case, the following conditions shall apply:

18 1. Any and all returns, return information, and PII of third parties contained
19 therein shall be subject to this Order; and

20 2. Any and all returns, return information, and PII of third parties contained
21 therein shall not be further copied or disseminated without further order of the Court.

22 **IT IS FURTHER ORDERED** that with respect to any discovery provided by the
23 United States in this case, said discovery is for use in the defense of this criminal case
24 only and shall be returned to the United States upon demand for destruction after the
25 completion of the proceedings.

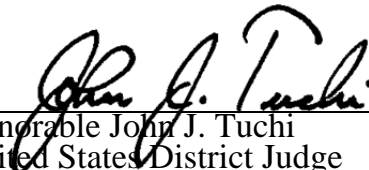
26 **IT IS FURTHER ORDERED** that nothing herein requires the United States to
27 provide discovery beyond what is required by Rule 16 of the Federal Rules of Criminal
28

1 Procedure.

2 **IT IS FURTHER ORDERED** that this Order will apply to any additional
3 defendants added to the case after its issuance.

4 **IT IS FURTHER ORDERED** that the defendants and defense counsel shall file
5 an acknowledgment of this Order within 10 days of the date of this Order.

6 Dated this 14th day of August, 2017.

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8 
9 Honorable John J. Tuchi
10 United States District Judge

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