

database; any reports generated from DEA's ARCOS database; any information collected and maintained by DEA in its ARCOS database; and any derivative documents that the parties or their employees, agents, or experts create using ARCOS data." (*Id.*)

The Suspicious Order Reports ("SORs") that the Court recently ordered the DEA to produce are not contained in or reported to the ARCOS database. SORS are also not stored in, generated from, collected by, or maintained by the DEA's ARCOS database. Thus, neither the Court's April 11 Order nor its March 6 Protective Order provides the necessary protection for the SORS to be produced by the DEA.

Moreover, the SORS, like ARCOS, are law-enforcement-sensitive because the DEA uses them to generate investigatory leads. The Court has previously acknowledged the need to protect ongoing law enforcement operations. (Doc. No. 112, PageID No. 686 ("[T]he Court believes that production must be tailored . . . to address the DEA's concerns regarding . . . potential interference in investigations and enforcement actions[.]").)

For all of these reasons, the DEA asks the Court to enter the Amendment to Protective Order attached hereto as Exhibit A, so that it is clear and unambiguous that the SORS are covered by the Court's Protective Order.

Respectfully submitted,

DAVID A. SIERLEJA
First Assistant United States Attorney
Attorney for the United States
Acting Under Authority Conferred by 28 U.S.C. § 515

By: /s/ James R. Bennett II
JAMES R. BENNETT II (OH #0071663)
KAREN E. SWANSON HAAN (OH #0082518)
Assistant U.S. Attorneys
Carl B. Stokes U.S. Courthouse
801 West Superior Avenue, Suite 400
Cleveland, Ohio 44113-1852
Telephone: (216) 622-3600
E-mail: James.Bennett4@usdoj.gov
E-mail: Karen.Swanson.Haan@usdoj.gov

Attorneys for United States Department of Justice,
Drug Enforcement Administration

CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1(f), I certify that the foregoing memorandum is three (3) pages in length and thus within the 20-page limitation for memoranda in standard-track cases.

/s/ James R. Bennett II
JAMES R. BENNETT II
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I certify that, on May 8, 2018, I filed a copy of the foregoing electronically. The Court's electronic filing system will send notice of this filing to all parties. Parties may access this filing through the Court's system.

/s/ James R. Bennett II
JAMES R. BENNETT II
Assistant U.S. Attorney