

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE

**FILED**  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TENN.

AUG 29 2007

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

TIMOTHY RYAN RICHARDS, )

Defendant. )

BY \_\_\_\_\_  
DEPUTY CLERK

Case No. 3:05-00185

Judge Trauger

NON-PARTY'S OBJECTIONS TO COURT ORDER OF AUGUST 16, 2007  
AND  
APPENDIX IN SUPPORT OF NON-PARTY'S OBJECTIONS  
TO COURT ORDER OF AUGUST 16, 2007

**FILED UNDER SEAL**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,	)	
	)	File Under Seal per
Plaintiff.	)	July 12, 2007 Order
	)	
VS	)	Case No. 3:05-00185
	)	
TIMOTHY RYAN RICHARDS,	)	Judge Trauger
	)	
Defendant.	)	

NON-PARTY'S OBJECTIONS TO COURT ORDER OF AUGUST 16, 2007

Kurt Eichenwald ("Eichenwald"), a non-party in this case, and subject to the Court's Order of July 12, 2007, files this his Objections to the Court Order of August 16, 2007 (Document 283), and in support thereof would respectfully show the Court as follows:

I.

1.1. On August 22, 2007, the Court entered an Order allowing Eichenwald to file his objections, if any, to the three Orders of redaction issued by Magistrate Judge Brown, by August 29, 2007.

1.2. In this regard, on August 16, 2007, Magistrate Judge Brown entered an Order (Document 283) regarding redactions to material received from Yahoo (Document 284-1), CitiCorp (Document 284-2) and AOL (Document 284-3). Specifically, as to the documents produced by AOL (Document 284-3), it has come to Eichenwald's attention that the certain email account styled \_\_\_\_\_ was the email account for Eichenwald's son, and as such, Eichenwald

would request that any reference to [redacted] be redacted. In this regard, [redacted] is included on the following pages of Document 284-3: Page 2 (one entry) and Page 6 (two entries).

II.

2.1. Additionally, in light of the media coverage given to this matter, it is clear there have been multiple violations of the Court's Sealing Orders. See Appendix, NP130-146.

2.2. Eichenwald would request the Court enter a Protective Order prohibiting the fruits of the Subpoenas issued to CitiCorp, AOL, Yahoo, PayPal and Bank of America to be disseminated by any party, attorney or any other person in possession of same (recognizing that these items may be offered into evidence at the sentencing). There is no conceivable harm to the Defendant with the entry of this type of order. Otherwise, the Defendant, acting by and through those in concert with him, will continue to use these exhibits for his own punitive purposes, rather than that articulated by the Defendant's attorneys in his pleadings.

WHEREFORE, PREMISES CONSIDERED, Eichenwald respectfully requests this Court grant his Objections to the redaction issued by Magistrate Judge Brown, and enter an Order redacting any information regarding that certain email account styled [redacted]. Additionally, Eichenwald requests the Court enter an Order prohibiting the Defendant, his attorneys or those in possession of the documents produced in response to the Subpoenas, from disseminating the information and/or documents produced in response to the Subpoenas served on CitiCorp, AOL, Yahoo, PayPal and Bank of America. Eichenwald prays for such other and further relief, both general and special, at law or in equity, to which he may be justly entitled.

Respectfully submitted,

Underwood, Perkins & Ralston, P C.

/s/ Timothy S. Perkins

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**Certificate of Service**

I hereby certify that a true and correct copy of the above and foregoing instrument has been served upon all counsel of record, via facsimile, electronic mail or hand-delivery

/s/ Timothy S. Perkins

Timothy S. Perkins