

HARD COPY

RECEIVED
OCT 18 2016
OFFICE OF THE SECRETARY

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

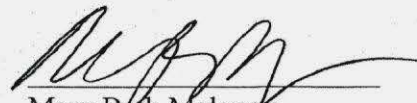
-----	X	
In the Matter of,	:	
	:	
LYNN TILTON	:	
PATRIARCH PARTNERS, LLC,	:	Administrative Proceeding
PATRIARCH PARTNERS VIII, LLC,	:	File No. 3-16462
PATRIARCH PARTNERS XIV, LLC and	:	
PATRIARCH PARTNERS XV, LLC	:	Judge Carol Fox Foelak
	:	
Respondents.	:	
-----	X	

**DECLARATION OF MARY BETH MALONEY
IN SUPPORT OF RESPONDENTS' MOTION TO COMPEL THE OFFICE OF
LITIGATION AND ADMINISTRATIVE PRACTICE TO PRODUCE DOCUMENTS
RESPONSIVE TO RESPONDENTS' SUBPOENAS**

Mary Beth Maloney, deposes and states as follows:

1. I am an associate in the law firm of Gibson, Dunn & Crutcher LLP, attorneys for the above-referenced Respondents. I submit this declaration in support of Respondents' Memorandum of Law in Support of Their Motion to Compel the Office of Litigation and Administrative Practice to Produce Documents Responsive to Respondents' Subpoenas.
2. Attached hereto as Exhibit 1 is a true and correct copy of the Securities and Exchange Commission's letter to Your Honor, dated August 3, 2016.
3. Attached hereto as Exhibit 2 is a true and correct copy of "Privilege Log: In the Matter of Lynn Tilton, et al., AP File No. 3-16462," sent to Respondents October 14, 2016.

Dated: New York, NY
October 17, 2016


Mary Beth Maloney



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
DENVER REGIONAL OFFICE
1961 STOUT STREET
SUITE 1700
DENVER, COLORADO 80294-1961

DIVISION OF
ENFORCEMENT

Direct Number: (303) 844.1041
Facsimile Number: (303) 297.3529

August 3, 2016

Via Email and Facsimile

Honorable Carol Fox Foelak
U.S. Securities and Exchange Commission
100 F Street, NE
Washington DC 25049

Re: *In the Matter of Lynn Tilton, et al. (File No. 3-16462)*

Dear Judge Foelak:

On July 27, 2016, Respondents submitted two requests for the issuance of subpoenas directed at the Securities and Exchange Commission. The first request was for a document subpoena primarily relating to the Commission's Amended Rules of Practice ("First Request"). The second request was for a document subpoena primarily relating to communications between the Commission and various other entities ("Second Request"). The Division of Enforcement respectfully submits this response to the Respondents' Second Request.¹

The Second Request is unreasonable, oppressive, excessive in scope, and unduly burdensome. *See* Rule of Prac. 232(b). Additionally, the subpoena requests information protected by the attorney client, attorney work-product, deliberative process, and law enforcement privileges, making it impermissible. For all of these reasons, the Division requests that the Court not issue the subpoena requested in the Second Request as drafted, and instead direct the Respondents to revise the subpoena to eliminate the requests for privileged and protected information.

Attorney-client communications are protected from disclosure. *United States v. Schwimmer*, 892 F.2d 237, 243 (2d Cir.1989) ("[The] communications between attorney and client endure as the oldest rule of privilege known to the common law."). Additionally, a number of Respondents' requests call for attorney notes made by the Division's attorneys. Attorney notes and memoranda of witness interviews are subject to heightened protection, amounting to "almost absolute immunity" from discovery and are "virtually undiscoverable." *In re Grand Jury Proceedings*, 492 F.3d 976, 981-982 (8th Cir. 2007); *Baker v. General Motors Corp.*, 209 F.2d 1051, 1054 (8th Cir. 2000); *In re Grand Jury Proceedings*, 43 F.3d 966, 970 (5th Cir. 1994),

¹ The Division understands that the Office of Litigation and Administrative Practice of the Office of the General Counsel is submitting a response to the Respondents' First Request, as well as to the Respondents' Second Request to the extent it is seeking documents from Commission divisions and offices beyond the Division of Enforcement.

Honorable Carol Fox Foelak

August 3, 2016

Page 2

quoting *Hickman v. Taylor*, 329 U.S. 495, 512 (1947). As the Supreme Court stated in *Upjohn Co. v. United States*, 449 U.S. 383, 400 (1981), “work product [based on oral statements from third parties] cannot be disclosed simply on a showing of substantial need and inability to obtain the equivalent without undue hardship.” *Upjohn*, 449 U.S. at 401. Courts have found that attorney notes of a witness interview “are opinion work product entitled to almost absolute immunity” on the basis that the notes reveal an attorney’s legal conclusions because, when taking notes, an attorney often focuses on those facts that he or she deems legally significant. *Baker*, 209 F.2d at 1054.

Respondents’ requests also ask for documents protected by the deliberative process privilege. “The deliberative process privilege applies to materials that are part and parcel of the process of internal agency decision making.” *N.L.R.B. v. Sears, Roebuck & Co.*, 421 U.S. 132, 150 (1975). In order to secure protection under the deliberative process privilege, an agency must show that a document is both “predecisional” and “deliberative.” *Grand Cent. Partnership, Inc. v. Cuomo*, 166 F.3d 473, 482 (2d Cir. 1999). Respondents’ request calls for documents that are both predecisional (because they relate to the decision-making process related to this action against Respondents) and deliberative (because, again, they relate to the deliberation regarding the action against Respondents).

Further, several of Respondents’ requests ask for information related to inter-agency dealings with regard to law enforcement. These requests fall squarely within the law-enforcement privilege, which protects documents that contain, as relevant here, “information pertaining to law enforcement techniques and procedures . . . [or] information that would seriously impair the ability of a law enforcement agency to conduct future investigations.” *In re The City of New York*, 607 F.3d 923, 948 (2d Cir. 2010) (citations and quotations omitted). “Once the party asserting the privilege successfully shows that the privilege applies, the district court must balance the public interest in nondisclosure against the need of a particular litigant for access to the privileged information.” *Id.* (citation and quotation omitted). “There is a strong presumption against lifting the privilege.” *Id.* (citation and quotation omitted).

Respondents’ requests regarding expert witness drafts and communications are also contrary to the parties’ prior agreement – consistent with the Federal Rules of Civil Procedure – that such materials would not be disclosed by either party. *See* Exh. 1 hereto.

In addition, the subpoena largely seeks nonpublic documents that have already been disclosed in the Division’s withheld document list, which was produced to Respondents on August 7, 2015. *See* Exh. 2 hereto.

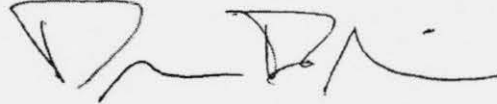
Finally, the Division will continue to comply with its *Brady* obligations and will provide any material exculpatory evidence to Respondents, further obviating the need for Respondents’ subpoena.

For all of these reasons, the Division requests that the Court not issue the subpoena requested in the Second Request as drafted, and instead direct the Respondents to revise the subpoena to eliminate the requests for privileged and protected information. At a minimum, the

Honorable Carol Fox Foelak
August 3, 2016
Page 3

Court should require the Respondents to demonstrate "the general relevance and reasonable scope of the ... evidence sought." Rule of Prac. 232(b). The Division is available for a hearing on this issue at the Court's convenience. Should the Court determine to issue the subpoena as drafted, or in a modified form, the Division reserves all rights to file an application to quash or modify the subpoena pursuant to Rule of Practice 232(e).

Sincerely,

A handwritten signature in black ink, appearing to read "Dugan Bliss". The signature is stylized with a large initial "D" and a long horizontal stroke extending to the right.

Dugan Bliss
Senior Trial Counsel

cc via email:
Randy Mastro, Esq.
Lisa Rubin, Esq.
Susan Brune, Esq.

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
1	02/24/2012 14:08 EST	Investigative Information Request	Email without Attachment	YoungJae Chung, SEC	Willis Epps, contracting officer, U.S. Army	Brent Mitchell, SEC		Work Product Doctrine; Law Enforcement Privilege
2	04/16/2012 16:35 EDT	Immunity Request	Email with Attachment	Stephen E. Jones, SEC	Policy and Statutory Enforcement Unit, Office of Enforcement Operations, Dep't of Justice	N. Creola Kelly and Brent Mitchell, SEC		Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
3	04/16/2012 16:35 EDT	Immunity Request	Attachment					Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
4	04/27/2012 11:16 EDT	Immunity Request	Email without Attachment	Robert De La Cruz, Policy and Statutory Enforcement Unit, Office of Enforcement Operations, Dep't of Justice	N. Creola Kelly and Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
5	04/27/2012 11:49 EDT	Immunity Request	Email without Attachment	Robert De La Cruz, Policy and Statutory Enforcement Unit, Office of Enforcement Operations, Dep't of Justice	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
6	04/27/2012 11:49 EDT	Immunity Request	Email without Attachment	Brent Mitchell, SEC	Robert De La Cruz, Policy and Statutory Enforcement Unit, Office of Enforcement Operations, Dep't of Justice	Stephen Jones and N. Creola Kelly, SEC		Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
7	04/27/2012 13:15 EDT	Immunity Request	Email without Attachment	Brent Mitchell, SEC	Robert De La Cruz, Policy and Statutory Enforcement Unit, Office of Enforcement Operations, Dep't of Justice	N. Creola Kelly, SEC		Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
8	04/27/2012 13:16 EDT	Immunity Request	Email without Attachment	Robert De La Cruz, Policy and Statutory Enforcement Unit, Office of Enforcement Operations, Dep't of Justice	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
9	04/27/2012 13:19 EDT	Immunity Request	Email without Attachment	Brent Mitchell, SEC	Robert De La Cruz, Policy and Statutory Enforcement Unit, Office of Enforcement Operations, Dep't of Justice	N. Creola Kelly, SEC		Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
10	04/30/2012 09:33 EDT	Immunity Request	Email with Attachment	Robert De La Cruz, Policy and Statutory Enforcement Unit, Office of Enforcement Operations, Dep't of Justice	Brent Mitchell, SEC	Tina Barber, Angela Coit, Sheila Franklin, and Debora Morris, Policy and Statutory Enforcement Unit, Office of Enforcement Operations, Dep't of Justice		Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
11	04/30/2012 09:33 EDT	Immunity Request	Attachment					Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
12	07/16/2012 13:03 EDT	Investigative Information Request	Email without Attachment	Norma Fontana, AUSA, U.S. Attorney's Office, District of Arizona	Brent Mitchell, SEC	Amanda DeRoo and N. Creola Kelly, SEC		Work Product Doctrine; Law Enforcement Privilege
13	04/04/2013 18:11 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
14	04/04/2013 18:30 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Allison Lee, SEC		Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
15	04/04/2013 18:32 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Allison Lee, SEC		Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
16	04/05/2013 16:38 EDT	Investigative Information Request	Email with Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	N. Creola Kelly and Allison Lee, SEC		Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
17	04/05/2013 16:38 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
18	04/05/2013 16:38 EDT	Investigative Information Request	Email with Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	N. Creola Kelly and Allison Lee, SEC	Brent Mitchell, SEC	Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
19	04/05/2013 16:38 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
20	04/08/2013 12:33 EDT	Investigative Information Request	Email with Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
21	04/08/2013 12:33 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege
22	04/08/2013 12:33 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
23	04/09/2013 21:40 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL			Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
24	04/10/2013 16:51 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL			Work Product Doctrine; Law Enforcement Privilege
25	04/10/2013 16:53 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
26	04/10/2013 16:54 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL			Work Product Doctrine; Law Enforcement Privilege
27	04/10/2013 16:55 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
28	04/11/2013 14:09 EDT	Investigative Information Request	Email with Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Gina Blow, SEC		Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
29	04/11/2013 14:09 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
30	04/18/2013 08:24 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	N. Creola Kelly, Allison Lee, Laura Metcalfe, and Reid Muoio, SEC		Work Product Doctrine; Law Enforcement Privilege
31	04/18/2013 10:25 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
32	04/24/2013 15:47 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
33	04/24/2013 16:28 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL			Work Product Doctrine; Law Enforcement Privilege
34	04/24/2013 16:29 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
35	04/24/2013 16:31 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL			Work Product Doctrine; Law Enforcement Privilege
36	06/03/2013 10:53 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
37	06/07/2013 09:41 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
38	06/07/2013 10:24 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL			Work Product Doctrine; Law Enforcement Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
39	06/07/2013 10:24 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL		Brent Mitchell, SEC	Work Product Doctrine; Law Enforcement Privilege
40	06/07/2013 11:27 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
41	06/21/2013 16:27 EDT	Investigative Information Request	Calendar Entry	Brent Mitchell, SEC	Pat Meadows, AUSA, U.S. Attorney's Office, Northern District of Alabama			Work Product Doctrine; Law Enforcement Privilege
42	06/25/2013 15:44 EDT	Investigative Information Request	Calendar Entry	Brent Mitchell, SEC	Pat Meadows, AUSA, U.S. Attorney's Office, Northern District of Alabama			Work Product Doctrine; Law Enforcement Privilege
43	07/08/2013 10:06 EDT	Investigative Information Request	Email with Attachment	Brent Mitchell, SEC	Ramona Albin, AUSA, U.S. Attorney's Office, Northern District of Alabama	N. Creola Kelly, Allison Lee, Laura Metcalfe, Reid Muoio, and John Smith, SEC	Brent Mitchell, SEC	Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
44	07/08/2013 10:06 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
45	07/08/2013 10:06 EDT	Investigative Information Request	Email with Attachment	Brent Mitchell, SEC	Ramona Albin, AUSA, U.S. Attorney's Office, Northern District of Alabama	N. Creola Kelly, Allison Lee, Laura Metcalfe, Reid Muoio, and John Smith, SEC		Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
46	07/08/2013 10:06 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
47	07/08/2013 11:30 EDT	Investigative Information Request	Email without Attachment	Ramona Albin, AUSA, U.S. Attorney's Office, Northern District of Alabama	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
48	08/22/2013 15:53 EDT	Investigative Information Request	Email with Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
49	08/22/2013 15:53 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege
50	08/22/2013 15:59 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Allison Lee, SEC		Work Product Doctrine; Law Enforcement Privilege
51	08/26/2013 12:43 EDT	Investigative Information Request	Email with Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
52	08/26/2013 12:43 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege
53	08/26/2013 12:43 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
54	10/31/2013 14:25 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
55	10/31/2013 14:53 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
56	10/31/2013 14:53 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Amy Sumner, SEC	Brent Mitchell, SEC	Work Product Doctrine; Law Enforcement Privilege
57	10/31/2013 14:53 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Amy Sumner, SEC		Work Product Doctrine; Law Enforcement Privilege
58	10/31/2013 14:55 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Amy Sumner, SEC	Brent Mitchell, SEC	Work Product Doctrine; Law Enforcement Privilege
59	10/31/2013 14:55 EDT	Investigative Information Request	Calendar Entry	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL			Work Product Doctrine; Law Enforcement Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
60	10/31/2013 14:55 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Amy Sumner, SEC		Work Product Doctrine; Law Enforcement Privilege
61	11/01/2013 13:12 EDT	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
62	11/01/2013 13:14 EDT	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	Amy Sumner, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL		Work Product Doctrine; Law Enforcement Privilege
63	11/12/2013 17:38 EST	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
64	11/12/2013 20:00 EST	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL			Work Product Doctrine; Law Enforcement Privilege
65	01/23/2014 13:50 EST	Investigative Information Request	Email without Attachment	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL	Brent Mitchell, SEC			Work Product Doctrine; Law Enforcement Privilege
66	01/23/2014 14:00 EST	Investigative Information Request	Email without Attachment	Brent Mitchell, SEC	SA Lance Stamper, Defense Criminal Investigative Service, Huntsville Post of Duty, Redstone Arsenal, AL			Work Product Doctrine; Law Enforcement Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
67	04/23/2015 12:05 EDT	Investigative Information Request	Email without Attachment	Dugan Bliss, SEC	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York			Work Product Doctrine; Law Enforcement Privilege
68	04/23/2015 12:06 EDT	Investigative Information Request	Email without Attachment	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York	Dugan Bliss, SEC			Work Product Doctrine; Law Enforcement Privilege
69	04/23/2015 12:40 EDT	Investigative Information Request	Email without Attachment	Michael Osnato, SEC	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York			Work Product Doctrine; Law Enforcement Privilege
70	04/23/2015 12:46 EDT	Investigative Information Request	Email without Attachment	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York	Michael Osnato, SEC			Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
71	04/23/2015 17:03 EDT	Investigative Information Request	Email with Attachment	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York	Michael Osnato, SEC	Christopher Frey and Telemachus Kasulis, AUSAs, U.S. Attorney's Office, Southern District of New York		Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
72	04/23/2015 17:03 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
73	04/24/2015 15:07 EDT	Investigative Information Request	Email with Attachment	Amy Lam, SEC	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York	Laura Metcalfe, Michael Osnato, and Amy Sumner, SEC		Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
74	04/24/2015 15:07 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege; Deliberative Process Privilege
75	04/27/2015 10:06 EDT	Investigative Information Request	Email without Attachment	CPT Eric M. Liddick, Attorney-Advisor, Procurement Fraud Branch, Contract and Fiscal Law Division, U.S. Army Legal Services Agency, Fort Belvoir, VA	Dugan Bliss, SEC			Work Product Doctrine; Law Enforcement Privilege
76	04/27/2015 10:06 EDT	Investigative Information Request	Email with Attachment	CPT Eric M. Liddick, Attorney-Advisor, Procurement Fraud Branch, Contract and Fiscal Law Division, U.S. Army Legal Services Agency, Fort Belvoir, VA	Dugan Bliss, SEC			Work Product Doctrine; Law Enforcement Privilege
77	04/27/2015 10:06 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege
78	04/27/2015 10:09 EDT	Investigative Information Request	Email without Attachment	Dugan Bliss, SEC	CPT Eric M. Liddick, Attorney-Advisor, Procurement Fraud Branch, Contract and Fiscal Law Division, U.S. Army Legal Services Agency, Fort Belvoir, VA			Work Product Doctrine; Law Enforcement Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
79	04/27/2015 10:09 EDT	Investigative Information Request	Email without Attachment	Dugan Bliss, SEC	CPT Eric M. Liddick, Attorney-Advisor, Procurement Fraud Branch, Contract and Fiscal Law Division, U.S. Army Legal Services Agency, Fort Belvoir, VA			Work Product Doctrine; Law Enforcement Privilege
80	04/27/2015 10:10 EDT	Investigative Information Request	Email with Attachment	CPT Eric M. Liddick, Attorney-Advisor, Procurement Fraud Branch, Contract and Fiscal Law Division, U.S. Army Legal Services Agency, Fort Belvoir, VA	Dugan Bliss, SEC			Work Product Doctrine; Law Enforcement Privilege
81	04/27/2015 10:10 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege
82	04/27/2015 10:10 EDT	Investigative Information Request	Email without Attachment	CPT Eric M. Liddick, Attorney-Advisor, Procurement Fraud Branch, Contract and Fiscal Law Division, U.S. Army Legal Services Agency, Fort Belvoir, VA	Dugan Bliss, SEC			Work Product Doctrine; Law Enforcement Privilege
83	04/28/2015 12:11 EDT	Investigative Information Request	Email without Attachment	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York	Dugan Bliss, SEC			Work Product Doctrine; Law Enforcement Privilege
84	04/29/2015 13:10 EDT	Investigative Information Request	Email without Attachment	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York	Michael Osnato, SEC			Work Product Doctrine; Law Enforcement Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
85	04/29/2015 13:15 EDT	Investigative Information Request	Email without Attachment	Michael Osnato, SEC	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York			Work Product Doctrine; Law Enforcement Privilege
86	04/29/2015 13:15 EDT	Investigative Information Request	Email without Attachment	Michael Osnato, SEC	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York			Work Product Doctrine; Law Enforcement Privilege
87	04/29/2015 13:18 EDT	Investigative Information Request	Email without Attachment	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York	Michael Osnato, SEC			Work Product Doctrine; Law Enforcement Privilege
88	04/29/2015 15:49 EDT	Investigative Information Request	Email without Attachment	Judy Bizu, Paralegal Specialist, SEC	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York	Amy Sumner, SEC		Work Product Doctrine; Law Enforcement Privilege
89	04/30/2015 13:18 EDT	Investigative Information Request	Email without Attachment	Katherine Goldstein, AUSA, U.S. Attorney's Office, Southern District of New York	Judy Bizu, Paralegal Specialist, SEC	Amy Sumner, SEC		Work Product Doctrine; Law Enforcement Privilege
90	05/11/2015 18:03 EDT	Investigative Information Request	Email without Attachment	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Amy Sumner, SEC	Daniel Goldman, AUSA, U.S. Attorney's Office, Southern District of New York		Work Product Doctrine; Law Enforcement Privilege
91	05/12/2015 09:41 EDT	Investigative Information Request	Email without Attachment	Amy Sumner, SEC	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Daniel Goldman, AUSA, U.S. Attorney's Office, Southern District of New York		Work Product Doctrine; Law Enforcement Privilege
92	05/12/2015 12:40 EDT	Investigative Information Request	Email without Attachment	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Amy Sumner, SEC	Daniel Goldman, AUSA, U.S. Attorney's Office, Southern District of New York		Work Product Doctrine; Law Enforcement Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
93	05/12/2015 13:09 EDT	Investigative Information Request	Email without Attachment	Amy Sumner, SEC	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Daniel Goldman, AUSA, U.S. Attorney's Office, Southern District of New York		Work Product Doctrine; Law Enforcement Privilege
94	05/20/2015 17:41 EDT	Investigative Information Request	Email without Attachment	Judy Bizu, Paralegal Specialist, SEC	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Dugan Bliss, Nicole Nesvig, and Amy Sumner, SEC		Work Product Doctrine; Law Enforcement Privilege
95	05/20/2015 17:41 EDT	Investigative Information Request	Email without Attachment	Judy Bizu, Paralegal Specialist, SEC	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Dugan Bliss and Amy Sumner, SEC		Work Product Doctrine; Law Enforcement Privilege
96	05/20/2015 17:43 EDT	Investigative Information Request	Email without Attachment	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Judy Bizu, Paralegal Specialist, SEC	Dugan Bliss, Nicole Nesvig, and Amy Sumner, SEC		Work Product Doctrine; Law Enforcement Privilege
97	05/29/2015 13:00 EDT	Investigative Information Request	Email without Attachment	Judy Bizu, Paralegal Specialist, SEC	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Dugan Bliss and Amy Sumner, SEC		Work Product Doctrine; Law Enforcement Privilege
98	05/29/2015 13:43 EDT	Investigative Information Request	Email without Attachment	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Judy Bizu, Paralegal Specialist, SEC	Dugan Bliss and Amy Sumner, SEC		Work Product Doctrine; Law Enforcement Privilege
99	06/09/2015 13:52 EDT	Investigative Information Request	Email without Attachment	Amy Sumner, SEC	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York			Work Product Doctrine; Law Enforcement Privilege
100	06/09/2015 13:52 EDT	Investigative Information Request	Email without Attachment	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Amy Sumner, SEC	Daniel Goldman, AUSA, U.S. Attorney's Office, Southern District of New York		Work Product Doctrine; Law Enforcement Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
101	06/09/2015 17:04 EDT	Investigative Information Request	Email with Attachment	Amy Sumner, SEC	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York			Work Product Doctrine; Law Enforcement Privilege
102	06/09/2015 17:04 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege
103	06/09/2015 17:04 EDT	Investigative Information Request	Attachment					Work Product Doctrine; Law Enforcement Privilege
104	06/09/2015 17:08 EDT	Investigative Information Request	Email without Attachment	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Amy Sumner, SEC			Work Product Doctrine; Law Enforcement Privilege
105	06/16/2015 12:00 EDT	Investigative Information Request	Email without Attachment	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Amy Sumner, SEC	Daniel Goldman, AUSA, U.S. Attorney's Office, Southern District of New York		Work Product Doctrine; Law Enforcement Privilege
106	06/16/2015 12:04 EDT	Investigative Information Request	Email without Attachment	Amy Sumner, SEC	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Daniel Goldman, AUSA, U.S. Attorney's Office, Southern District of New York		Work Product Doctrine; Law Enforcement Privilege
107	06/16/2015 12:05 EDT	Investigative Information Request	Email without Attachment	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Amy Sumner, SEC	Daniel Goldman, AUSA, U.S. Attorney's Office, Southern District of New York		Work Product Doctrine; Law Enforcement Privilege
108	06/18/2015 15:08 EDT	Investigative Information Request	Email without Attachment	Amy Sumner, SEC	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York	Daniel Goldman, AUSA, U.S. Attorney's Office, Southern District of New York		Work Product Doctrine; Law Enforcement Privilege

Privilege Log
In the Matter of Lynn Tilton, et al., AP File No. 3-16462

Document Number	Document Date	Subject	Document Type	Email From	Email To	Email CC	Email BCC	Privilege(s)
109	06/30/2015 16:54 EDT	Investigative Information Request	Email without Attachment	Amy Sumner, SEC	Christopher Frey and Daniel Goldman, AUSAs, U.S. Attorney's Office, Southern District of New York			Work Product Doctrine; Law Enforcement Privilege
110	06/30/2015 17:10 EDT	Investigative Information Request	Email without Attachment	Daniel Goldman, AUSA, U.S. Attorney's Office, Southern District of New York	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York; Amy Sumner, SEC			Work Product Doctrine; Law Enforcement Privilege
111	07/27/2015 18:10 EDT	Investigative Information Request	Email without Attachment	Daniel Goldman, AUSA, U.S. Attorney's Office, Southern District of New York	Christopher Frey, AUSA, U.S. Attorney's Office, Southern District of New York; Amy Sumner, SEC			Work Product Doctrine; Law Enforcement Privilege
112	07/28/2015 09:55 EDT	Investigative Information Request	Email without Attachment	Amy Sumner, SEC	Christopher Frey and Daniel Goldman, AUSAs, U.S. Attorney's Office, Southern District of New York			Work Product Doctrine; Law Enforcement Privilege
113	07/28/2015 10:01 EDT	Investigative Information Request	Email without Attachment	Amy Sumner, SEC	Christopher Frey and Daniel Goldman, AUSAs, U.S. Attorney's Office, Southern District of New York			Work Product Doctrine; Law Enforcement Privilege