

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

*In the Matter of Search Warrants Executed on
April 9, 2018*

MICHAEL D. COHEN,

Plaintiff,

- against -

UNITED STATES OF AMERICA,

Defendant.

18-MJ-3161 (KMW)

SPECIAL MASTER REPORT

BARBARA S. JONES, Special Master:

By Order of Appointment, dated April 27, 2018 [Dkt. No. 30] (the “Order”), the Court appointed the Hon. Barbara S. Jones (Ret.) as Special Master to render decisions regarding “privilege issues related to materials seized in the execution of certain search warrants executed on April 9, 2018 (the “Seized Materials”).” *See* Order at 1. This report is submitted to provide the Court with a scheduling plan setting forth the procedure and timeline for conducting the privilege review of the Seized Materials and resolving any disputes as to privilege. *See* Order, § 4.

Pursuant to § 4 of the Order, the Special Master has conferred with the parties regarding the status of production of the Seized Materials and a procedure for review. The Government will provide electronic copies of the materials to the Plaintiff and Special Master on an expedited and rolling basis. The Special Master will conduct her review of the materials as they are received. Simultaneously, counsel for the Plaintiff and the Intervenors will conduct their own

privilege review and will provide the results of that review to the Special Master on an expedited and rolling basis.

On April 24th and April 30th, the Government produced materials to the Plaintiff consisting of the electronic contents of telephones and iPads. On May 3rd, the Government produced additional materials to the Plaintiff consisting of electronic copies of eight boxes of hard copy documents and the electronic content of additional telephones. On May 4th, the Government produced electronic copies of the eight boxes of hard copy documents to the Special Master. The Government expects to provide all remaining materials to Plaintiff and the Special Master by May 11, 2018, with the possible exception of the content of certain telephones. On May 7th, the Plaintiff and Intervenors will provide their first set of privilege designations to the Special Master.

The Special Master will provide the Court with a timeline for concluding the privilege review once she has received a larger volume of the materials to be reviewed. The Special Master has also conferred with the parties regarding a process for resolving disputes as to privilege and will finalize that procedure after further consultation with the parties.

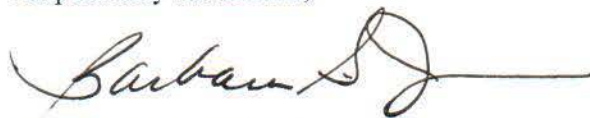
Pursuant to § 9 of the Order, the Government has provided the Special Master with a copy of the search warrants executed in this matter, and the underlying application materials for those warrants.

Pursuant to § 10 of the Order, the Special Master has conferred with the parties regarding her compensation and expenses. The parties have agreed that the Plaintiff and Intervenors will be responsible for payment of fifty percent of the Special Master's compensation and expenses and that the Government will be responsible for payment of fifty percent of the Special Master's

compensation and expenses. The Special Master will submit a proposal for the Court's approval as to her compensation and expenses on or before May 9, 2018.

Dated: New York, New York
May 4, 2018

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Barbara S. Jones", followed by a long horizontal line extending to the right.

BARBARA S. JONES
Special Master