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TERMINATED: 07/19/2007

Date Filed	#	Docket Text
03/01/2007	<u>40</u>	Subpoena Returned Executed as to Anton Zgoznik; served upon <i>Custodian of the Records of McDonald & Company</i> by <i>personal service through Brian Lock Vinci</i> on 3/1/2007 (Broome, J.) Modified text on 3/2/2007 (B, B). (Entered: 03/01/2007)
03/01/2007	<u>41</u>	Subpoena Returned Executed as to Anton Zgoznik; served upon <i>Custodian of Records of Merrill, Lynch, Pierce, Fenner & Smith</i> by <i>personal service through Ann Shezten</i> on 3/1/2007 (Broome, J.) Modified text on 3/2/2007 (B, B). (Entered: 03/01/2007)
03/02/2007	<u>42</u>	Response by United States of America to Motion to Compel <i>Production of Documents and additional scheduling motions 37</i> as to Joseph H. Smith, Anton Zgoznik.(Attachments: # <u>1</u> Exhibit 1, Order in U.S. v. Dyer# <u>2</u> Exhibit 2, Smith Resume)(Siegel, John) (Entered: 03/02/2007)
03/05/2007	<u>43</u>	Motion to Quash <i>Pretrial Subpoenas</i> by United States of America as to Anton Zgoznik. (Attachments: # <u>1</u> Exhibit 1, Subpoena to McDonald & Company# <u>2</u> Exhibit 2, Subpoena to Merrill Lynch# <u>3</u> Exhibit 3, Order in U.S. v. Dyer)(Siegel, John) (Entered: 03/05/2007)
03/05/2007	<u>44</u>	Subpoena Returned Executed as to Anton Zgoznik; served upon <i>Custodian of Records of Huntington National Bank</i> by <i>personal service through Migdalia Vasquez</i> on 3/1/2007 (Broome, J.) Modified text on 3/7/2007 (B, B). (Entered: 03/05/2007)
03/06/2007		Minutes of proceedings [non-document] before Judge Ann Aldrich.Status Conference as to Joseph H. Smith, Anton Zgoznik held on 3/6/2007. Discussion regarding pending motions, trial preparation, and

		rescheduling of trial date to 8-15-07. The court related deadlines to be followed and will issue an order to specify all deadlines. Jury issues discussed, the court will address these issues in the written order. 2 hours (Court Reporter none) (K,V) (Entered: 03/06/2007)
03/06/2007	<u>45</u>	Order as to Joseph H. Smith, Anton Zgoznic that: Smith shall submit a draft subpoena to the Court, Government and the Diocese by 3/9/2007, the Diocese shall file its brief opposing the request for subpoena by 3/19/2007, Smith and Zgoznic may file briefs in reply to the Diocese by 3/26/2007, Court makes ends of justice findings, trial is continued to 9:30 a.m. on 8/15/2007, Government shall file its proposed exhibit list by 7/13/1007, Smith and Zgoznic may file motions in limine seeking exclusion of particular exhibits by 7/10/2007, the Government may file responses to any motions in limine filed by Smith and Zgoznic by 7/27/2007, proposed jury instructions are due by 8/8/2007. Signed by Judge Ann Aldrich on 3-6-07. (Related doc 37, 38, 42) (K,V) Modified text and links on 3/7/2007 (B, B). (Entered: 03/06/2007)
03/07/2007	<u>46</u>	Unopposed Motion to Travel to <i>Pittsburgh, Pennsylvania from 3/8/2007 through 3/11/2007</i> by Anton Zgoznic. (Broome, J.) Modified text on 3/8/2007 (B, B). (Entered: 03/07/2007)
03/07/2007	<u>48</u>	Notice of manual filing motion to quash filed by Catholic Diocese of Cleveland and Bishop Anthony M. Pilla.(C,KA) (Entered: 03/08/2007)
03/07/2007	<u>49</u>	Motion to Quash subpoenas filed by Catholic Diocese of Cleveland and Bishop Anthony M. Pilla. (C,KA) (Entered: 03/08/2007)
03/08/2007	<u>47</u>	Marginal Order granting <u>46</u> Motion to Travel as to Anton Zgoznic (2) 3-8-07 to 3-11-07 Signed by Judge Ann Aldrich on 3-8-07. (K,V) (Entered: 03/08/2007)
03/09/2007	<u>50</u>	Notice of Filing Draft Subpoena as to Joseph H. Smith (Attachments: # <u>1</u> Draft Subpoena)(Kushner, Philip) (Entered: 03/09/2007)

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TERMINATED: 07/19/2007

Date Filed	#	Docket Text
03/15/2007	<u>51</u>	Response to Motion to Quash ⁴³ as to Anton Zgoznic of <i>United States Subpoena Issued to Huntington Bank</i> (Attachments: # <u>1</u> Exhibit A - Agreement# <u>2</u> Exhibit B - Memoranda# <u>3</u> Exhibit C - Checks# <u>4</u> Exhibit D - Memorandum of Interview# <u>5</u> Exhibit E - Form 302# <u>6</u> Exhibit F - Payments to Resultant)(Rotatori, Robert) Modified to correct link on 3/21/2007 (B, B). (Entered: 03/15/2007)
03/15/2007	<u>52</u>	Notice of Filing Opposition to Government's Motion to Quash Subpoena Issued to Huntington National Bank as to Joseph H. Smith (Kushner, Philip) (Entered: 03/15/2007)
03/19/2007	<u>53</u>	Notice of manual filing opposition to defendant Smith's motion to order production filed by Catholic Diocese of Cleveland, Bishop Anthony M. Pilla, Catholic Cemeteries Association and Catholic Universe Bulletin. (C,KA) Modified text on 3/22/2007 (B, B). (Entered: 03/20/2007)
03/19/2007	<u>54</u>	Opposition to defendant Smith's motion to order production (related docs <u>37</u> , <u>50</u> and <u>53</u>) filed by Catholic Diocese of Cleveland, Bishop Anthony M. Pilla, Catholic Cemeteries Association and Catholic Universe Bulletin. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B)(C,KA) Modified text on 3/22/2007 (B, B). (Entered: 03/20/2007)
03/26/2007	<u>55</u>	Reply to Response to Motion to Compel <i>Production of Documents</i> ³⁷ as to Joseph H. Smith (Attachments: # <u>1</u> Exhibit 1)(Kushner, Philip) Modified text on 3/28/2007 (B, B). (Entered: 03/26/2007)
03/26/2007	<u>56</u>	Response to Motions to Quash (Related doc <u>43</u> , <u>49</u>) as to Anton Zgoznic <i>Realtive to Subpoenas Issued to McDonald & Co. and Merrill, Lynch</i>

		(Broome, J.) Modified text on 3/28/2007 (B, B). (Entered: 03/26/2007)
03/30/2007	<u>57</u>	Reply by United States of America to response to Motion to Quash <i>Pretrial Subpoenas</i> <u>43</u> as to Joseph H. Smith, Anton Zgoznic (Siegel, John) (Entered: 03/30/2007)
03/30/2007	<u>58</u>	Motion for Leave to File surreply in support of opposition of non-parties to defendant's motion to order production by Catholic Diocese of Cleveland, Anthony M. Pilla, Catholic Cemeteries Association, Catholic Universe Bulletin as to Joseph H. Smith, Anton Zgoznic. (Attachments: # <u>1</u> Surreply)(E,P) Modified text on 4/5/2007 (B, B). (Entered: 04/03/2007)
04/03/2007		Order [non-document]granting <u>58</u> Motion of non-parties Catholic Cemeteries Association, Catholic Diocese of Cleveland, Catholic Universe Bulletin, Anthony Pilla' for Leave to File rurreply in support of opposition of non-parties re: motion to order production. Judge Ann Aldrich (K,V) Modified text on 4/5/2007 (B, B). (Entered: 04/03/2007)
04/03/2007	<u>59</u>	Sur-Reply in support of oppostion by non-parties to Smith's motion for order production. (Related doc <u>37</u>)(K,V) Modified text and links on 4/5/2007 (B, B). (Entered: 04/03/2007)
04/09/2007	<u>60</u>	Motion for Leave to File <i>Response to Sur-Reply in Support of Opposition of Non-Parties to Defendant Smith's Motion to Order Production</i> by Joseph H. Smith. (Kushner, Philip) (Entered: 04/09/2007)
04/09/2007	<u>61</u>	<i>Response to Sur-Reply in Support of Opposition of Non-Parties to Defendant Smith's Motion to Order Production</i> as to Joseph H. Smith (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3) (Related doc <u>37</u>) (Kushner, Philip) Modified text and links on 4/10/2007 (B, B). (Entered: 04/09/2007)
04/10/2007		Order [non-document]granting <u>60</u> Motion for Leave to File response to sur-reply in support of opposition of motion to order production as to Joseph H. Smith (1) Approved by Judge Ann Aldrich (K,V) Modified text on 4/11/2007 (B, B). (Entered: 04/10/2007)
04/30/2007	<u>62</u>	Unopposed Motion to Travel to Tampa, Florida from 5/21/2007 to 6/1/2007 by Joseph H. Smith. (Kushner, Philip) Modified text on 5/4/2007 (B, B). (Entered: 04/30/2007)
05/01/2007	<u>63</u>	Marginal Order granting unopposed <u>62</u> Motion to Travel as to Joseph H. Smith (1) Signed by Judge Ann Aldrich on 5-1-07. (K,V) (Entered: 05/01/2007)
05/30/2007	<u>64</u>	Order as to Joseph H. Smith, Anton Zgoznic modifying the March 6th order. Government and the defendants shall still submit proposed questions for the questionnaire to the court by June 18, 2007, in WordPerfect format. The court shall provide to the parties a draft of the questionnaire by June 25, 2007. Written objections to the court's proposed questionnaire may be made, but must be filed by June 29, 2007. If the court determines that a hearing on those objections is necessary, the court shall schedule a hearing prior to the final questionnaires mailing to

		potential jurors on July 9, 2007. Potential jurors responses would remain due by July 20, 2007. As previously ordered, once those responses have been received, the court shall schedule a conference to review those responses, and to set a deadline for proposed voir dire questions to be asked by the court when impaneling the jury. Signed by Judge Ann Aldrich on 5-30-07. (K,V) Modified text on 6/18/2007 (B, B). (Entered: 05/30/2007)
06/14/2007	<u>65</u>	Memorandum and order granting in part and denying in part defendant Smith's motion to compel production (Related Doc # <u>37</u>); denying motions to quash filed by United States of America and Catholic Diocese of Cleveland and Bishop Anthony M. Pilla (Related Docs # <u>43</u> , <u>49</u>); amending May 30, 2007 order with respect to questions for potential jurors. Signed by Judge Ann Aldrich on 6/14/2007. (C,G) Modified text on 6/18/2007 (B, B). (Entered: 06/14/2007)
06/15/2007	<u>66</u>	Motion to Remove Carole Rendon as Attorney by Philip S. Kushner. by Joseph H. Smith. (Kushner, Philip) Modified text on 6/20/2007 (B, B). (Entered: 06/15/2007)
06/18/2007		Order [non-document]granting <u>66</u> Motion to Withdraw as Attorney. Carole S. Rendon withdrawn from case. as to Joseph H. Smith (1) Judge Ann Aldrich (K,V) (Entered: 06/18/2007)
06/21/2007	<u>67</u>	Motion for Reconsideration of <i>Court's June 14, 2007 Order Regarding Subpoenas for Production of Documents</i> by Catholic Diocese of Cleveland, Anthony M. Pilla, Catholic Cemeteries Association, Catholic Universe Bulletin as to Joseph H. Smith, Anton Zgoznic. (Attachments: # <u>1</u> Woolworth Unreported Case)(Newman, John) (Entered: 06/21/2007)
06/22/2007		Minutes of proceedings [non-document] before Judge Ann Aldrich.Status Conference as to Joseph H. Smith, Anton Zgoznic held on 6/22/2007. Discussion concerning production pursuant to memorandum and order of 6/14/07. Defendants and government to respond to privilege question in Diocese's motion for reconsideration by 6/27/07. Diocese to reply by 6/29/07. Order to follow detailing production of documents. (Court Reporter none) (K,V) (Entered: 06/22/2007)
06/22/2007	<u>68</u>	Order on directives to proceed regarding the status conference of 6/22/07 in reference of production of documents re <u>65</u> referencing the Memorandum and Order of 6-14-07. Signed by Judge Ann Aldrich on 6-22-07. (K,V) (Entered: 06/22/2007)
06/25/2007		Order [non-document] extending deadline for written objections to the court's proposed potential juror questionnaire. Written objections to the court's proposed questionnaire must be made by July 6, 2007. A hearing on any objections will be scheduled, prior to August 1, 2007, if the parties request it. Approved by Judge Ann Aldrich on 6/25/2007. (C,G) (Entered: 06/25/2007)
06/27/2007	<u>69</u>	Response in opposition to Motion filed by Catholic Diocese of Cleveland, Catholic Cemeteries Association, Anthony M. Pilla and Catholic Universe Bulletin for Reconsideration of <i>Court's June 14, 2007</i>

		<i>Order Regarding Subpoenas for Production of Documents</i> <u>67</u> as to Joseph H. Smith (Attachments: # <u>1</u> Case Cites)(Kushner, Philip) Modified text on 7/12/2007 (B, B). (Entered: 06/27/2007)
06/27/2007	<u>70</u>	Response by United States of America to Motion of Catholic Diocese of Cleveland, Catholic Cemeteries Association, Anthony M. Pilla and Catholic Universe Bulletin for Reconsideration of the June 14, 2007 order regarding subpoenas for production of documents <u>67</u> as to Joseph H. Smith, Anton Zgoznic (Siegel, John) Modified text on 7/12/2007 (B, B). (Entered: 06/27/2007)
06/29/2007	<u>71</u>	Reply by Catholic Diocese of Cleveland, Anthony M. Pilla, Catholic Cemeteries Association, Catholic Universe Bulletin in support of Motion for Reconsideration of <i>Court's June 14, 2007 Order Regarding Subpoenas for Production of Documents</i> <u>67</u> as to Joseph H. Smith, Anton Zgoznic (Attachments: # <u>1</u> Unreported Case - United States v. University Hospital)(Sozio, Stephen) Modified text on 7/12/2007 (B, B). (Entered: 06/29/2007)
07/06/2007	<u>72</u>	Notice <i>Government Objections to Proposed Jury Questionnaire</i> as to Joseph H. Smith, Anton Zgoznic (Siegel, John) (Entered: 07/06/2007)
07/06/2007	<u>73</u>	Notice of <i>Objection to the Court's Proposed Jury Questionnaire</i> as to Joseph H. Smith (Kushner, Philip) Modified text on 7/12/2007 (B, B). (Entered: 07/06/2007)
07/19/2007	<u>74</u>	Notice of Substitution of Attorney. John Edward Sullivan removed from case, Jerrod C. Patterson appearing for USA. (Attachments: # <u>1</u> Letter from the Acting Deputy Assistant Attorney General)(Patterson, Jerrod) (Entered: 07/19/2007)
07/20/2007	<u>75</u>	Motion in Limine to <i>Exclude Evidence</i> by Joseph H. Smith. (Attachments: # <u>1</u> Exhibit A)(Kushner, Philip) (Entered: 07/20/2007)
07/20/2007	<u>76</u>	Motion to <i>Exclude Statement of Codefendant or, Alternatively, for Severance of Defendants</i> by Joseph H. Smith. (Kushner, Philip) (Entered: 07/20/2007)
07/24/2007	<u>77</u>	Memorandum and Order granting in part and denying in part <u>67</u> motion for reconsideration. The court therefore grants the Dioceses motion for reconsideration [Docket No. 67] in part, finds that the Dioceses production of the insurance claim and supporting materials does not constitute a general waiver of privilege over the investigation conducted by Jones Day, and orders the Diocese to produce only those interview notes and memoranda, affidavits and statements specifically listed. Signed by Judge Ann Aldrich on 7-24-07. (K,V) (Entered: 07/24/2007)
07/25/2007	<u>78</u>	Order as to Joseph H. Smith, Anton Zgoznic. The court rules upon the production of documents request and objections regarding incamera review. Lastly, after review of the parties objections to the proposed jury questionnaire [Docket Nos. 72, 73], the court shall strike questions 5 through 7 and 13 through 15, as requested by the Government, but retain

		question 3. As requested by the Government, Carole Rendon and Stephen Sozio shall be added to questions 61 and 62, respectively, and the answer space provided for question 84 shall be revised to address the Governments objection. The court will also include the defendants theory of defense in the proposed case summary preceding question 59, using language proposed in Smiths objection. The final jury questionnaire will be circulated to the parties prior to its being sent to the jury department for its administration to the pool on August 1, 2007. Signed by Judge Ann Aldrich on 7-25-07. (K,V) (Entered: 07/25/2007)
07/25/2007	<u>79</u>	Notice of Appearance of Attorneys Susan Gragel and Richard L. Stoper appearing for Anton Zgoznic (Stoper, Richard) Modified text on 7/30/2007 (B, B). (Entered: 07/25/2007)
07/25/2007	<u>80</u>	FILING ERROR: Notice of Appearance of Attorneys Susan L. Gragel and Richard Stoper appearing for Anton Zgoznic (Gragel, Susan) Modified text on 7/30/2007 (B, B). (Duplicate entry, please see Document #79) (Entered: 07/25/2007)
07/25/2007	<u>81</u>	Notice of Appearance of Attorney Michael R. Hamed appearing for Joseph H. Smith (Hamed, Michael) (Entered: 07/25/2007)
07/25/2007	<u>82</u>	Notice <i>Government's Objection to Jury Questionnaire</i> as to Joseph H. Smith, Anton Zgoznic (Siegel, John) (Entered: 07/25/2007)
07/27/2007	<u>83</u>	Order of Recusal in case as to Joseph H. Smith, Anton Zgoznic. Case reassigned to Magistrate Judge Nancy A. Vecchiarelli. Signed by Magistrate Judge William H. Baughman, Jr. on 07/27/2007. (G,GS) (Entered: 07/27/2007)
07/27/2007	<u>84</u>	Motion for Leave to File <i>Motion in Limine Instanter</i> by Anton Zgoznic. (Attachments: # <u>1</u> Motion for Order Excluding from Evidence Exhibits 14 and 147)(Stoper, Richard) (Entered: 07/27/2007)
07/27/2007		Order [non-document] granting <u>84</u> Motion for Leave to File motion in limine as to Anton Zgoznic (2) Judge Ann Aldrich (K,V) (Entered: 07/27/2007)
07/27/2007	<u>85</u>	Motion in Limine by Anton Zgoznic. Re: excluding from evidence Exhibits 14 and 147 regarding personal income tax information (K,V) (Entered: 07/27/2007)
07/27/2007	<u>86</u>	Response by United States of America in opposition to Motion in Limine to <i>Exclude Evidence</i> <u>75</u> as to Joseph H. Smith (Siegel, John) (Entered: 07/27/2007)
07/30/2007	<u>87</u>	Motion for Leave to File <i>Motion in Limine Instanter</i> by Anton Zgoznic. (Attachments: # <u>1</u> Motion in Limine)(Stoper, Richard) (Entered: 07/30/2007)
07/31/2007		Order [non-document]granting <u>87</u> Motion for Leave to File motion in limine as to Anton Zgoznic (2) Judge Ann Aldrich (K,V) (Entered: 07/31/2007)

07/31/2007	<u>88</u>	Motion in Limine excluding from evidence a recording and transcript produced by the government in discovery by Anton Zgoznic. (K,V) (Entered: 07/31/2007)
08/01/2007	<u>89</u>	Response by United States of America to Motion to Exclude <i>Statement of Codefendant or, Alternatively, for Severance of Defendants</i> <u>76</u> as to Joseph H. Smith (Siegel, John) (Entered: 08/01/2007)
08/01/2007	<u>90</u>	Notice : <i>Defendant Smith's Motion Regarding Destruction of Evidence by the Diocese and Request for Evidentiary Hearing</i> as to Joseph H. Smith (Attachments: # <u>1</u> Declaration)(Kushner, Philip) (Entered: 08/01/2007)
08/02/2007	<u>91</u>	Notice of Hearing as to Joseph H. Smith, Anton Zgoznic Evidentiary Hearing in re: documents 76 and 88; set for 8/7/2007 10:30 AM in Courtroom 17B before Hon. Ann Aldrich. (K,V) (Entered: 08/02/2007)
08/02/2007	<u>92</u>	Motion to Join in All Motions, Pleadings and Correspondence filed by Co-Defendant by Anton Zgoznic. (Rotatori, Robert) Modified text on 8/3/2007 (B, B). (Entered: 08/02/2007)
08/02/2007	<u>93</u>	Motion to Remove J. Scott Broome as Counsel by Anton Zgoznic. (Rotatori, Robert) Modified text on 8/3/2007 (B, B). (Entered: 08/02/2007)
08/02/2007		Order [non-document]granting <u>92</u> motion as to Anton Zgoznic (2)to join in all motions, etc. by co-defendant. Judge Ann Aldrich (K,V) (Entered: 08/02/2007)
08/02/2007		Order [non-document]granting <u>93</u> motion to remove Scott Broome from representing Defendant, Zgoznic (2) Judge Ann Aldrich (K,V) Modified text on 8/3/2007 (B, B). (Entered: 08/02/2007)
08/02/2007		Attorney update in case as to Anton Zgoznic. Attorney J. Scott Broome terminated. (K,V) (Entered: 08/02/2007)
08/03/2007	<u>94</u>	Response by Anton Zgoznic to Motion to Exclude <i>for Severance of Defendants</i> <u>76</u> as to Joseph H. Smith, Anton Zgoznic (Stoper, Richard) Modified text on 8/6/2007 (B, B). (Entered: 08/03/2007)
08/03/2007	<u>95</u>	Supplemental Memorandum in support of Motion in Limine for an order excluding from evidence recording and transcript <u>88</u> as to Anton Zgoznic (Rotatori, Robert) Modified text on 8/6/2007 (B, B). (Entered: 08/03/2007)
08/06/2007	<u>96</u>	Response by United States of America in opposition to Motion in Limine <u>88</u> as to Anton Zgoznic (Attachments: # <u>1</u> Exhibit Pattern Crim Jury Instruction 7.17 & Commentary)(Siegel, John) (Entered: 08/06/2007)
08/06/2007	<u>97</u>	Supplemental Memorandum by United States of America regarding Motion to Exclude <i>Statement of Codefendant or, Alternatively, for Severance of Defendants</i> <u>76</u> as to Joseph H. Smith, Anton Zgoznic (Siegel, John) Modified text on 8/6/2007 (B, B). (Entered: 08/06/2007)

08/07/2007	<u>98</u>	<i>Notice of Response to Motion Regarding Destruction of Evidence and Request for Evidentiary Hearing</i> filed by Catholic Diocese of Cleveland as to Joseph H. Smith (Attachments: # <u>1</u> Exhibit A: Affidavit of Kevin O'Donnell) (Related doc <u>90</u>) (Sozio, Stephen) Modified text and links on 8/8/2007 (B, B). (Entered: 08/07/2007)
08/08/2007	<u>99</u>	Minutes of proceedings before Judge Ann Aldrich.Motion Hearing in case as to Joseph H. Smith, Anton Zgoznic held on 8/8/2007 re <u>84</u> . The court heard testimony and argument on defendants' motions regarding recorded conversation and transcript, as well as discovery issues. Motions taken under advisement (Court Reporter George Staiduhar) (K,V) (Entered: 08/08/2007)
08/08/2007	<u>100</u>	Memorandum and Order re: documents: (<u>76</u> , <u>88</u> , <u>75</u> , <u>85</u> , <u>90</u>). The court grants Smith's motion to sever and severs the two defendants in this case. The court also grants Zgoznic's motion to exclude in part, and set conditions on the use of the recording and transcript in trial. The two motions in limine concering specific exhibits are denied without prejudice, the trial schedule is modified. Zgoznic's trial will begin on Monday, August 20, 2007 at 1:30 p.m.; conference regarding jury questionnaires to be 8/10/07 at 12:00. Final Pretrial set for 8/16/07 at 10:00 Signed by Judge Ann Aldrich on 8-8-07. (K,V) Modified to create an additional link on 8/8/2007 (B, B). (Entered: 08/08/2007)
08/08/2007		Defendant Joseph H. Smith severed from Codefendant(s) (K,V) (Entered: 08/08/2007)
08/09/2007	<u>101</u>	Order regarding the in camera review of documents; the Court orders the certain Bates numbers listed in this order re: Biship Pilla's charitable trust accounts, the court ordered these to be produced. These documents are to be kept stricly confidential. Also, the court has reviewed the Segment Two documents and has determined that those certain Bates numbered documents be produced and kept confidential. The court also orders the Diocese to confirm, via sworn affidavit from its current chief financial officer and chief legal officer, that copies of the management letters sought in 8(b) of the Smith subpoena for the Diocese from 1994 through 2001 cannot be obtained by the Diocese, and specifically listing the steps taken to attempt to locate any or all of those letters, including whether the outside auditors who prepared the letters were contacted to see if they retained copies. If copies of the 1994-2001 letters may be located by that or any other method, the court directs their immediate production to the defendants and the Government by the Diocese, subject to the same confidentiality restrictions imposed on the production of the other Segment Two documents. The Diocese shall submit the required affidavits within five calendar days of the issuance of this order. Signed by Judge Ann Aldrich on 8-9-07. (K,V) Modified text on 8/10/2007 (B, B). (Entered: 08/09/2007)
08/09/2007	<u>102</u>	Motion to Compel <i>Production of Tax Returns</i> by Anton Zgoznic. (Attachments: # <u>1</u> Correspondence from John Siegel)(Stoper, Richard) Modified text on 8/10/2007 (B, B). (Entered: 08/09/2007)

08/10/2007	<u>103</u>	Motion to Quash <i>Subpoenas</i> by Catholic Diocese of Cleveland as to Joseph H. Smith, Anton Zgoznik. (Attachments: # <u>1</u> Brief in Support # <u>2</u> Exhibit A: Smith's Subpoena to the Custodian of Records, Catholic Diocese of Cleveland# <u>3</u> Exhibit B: Zgoznik's Subpoena to the Custodian of Records, Catholic Diocese of Cleveland# <u>4</u> Exhibit C: Declaration of John R. Maimone)(Sozio, Stephen) (Entered: 08/10/2007)
08/13/2007	<u>104</u>	Motion to Exclude <i>from Evidence Government Exhibits 14, 28-33, 34-35, 147, and Summaries</i> by Anton Zgoznik. (Stoper, Richard) Modified text on 8/14/2007 (B, B). (Entered: 08/13/2007)
08/13/2007	<u>105</u>	Motion to Exclude, Motion to Strike , <i>or Dismiss Evidence Relating to Count 25</i> by Anton Zgoznik. (Stoper, Richard) (Entered: 08/13/2007)
08/13/2007	<u>106</u>	Motion to Exclude evidence relating to Counts 1-9 <i>and</i> , Motion to Strike Counts 1-9 <i>Evidence</i> by Anton Zgoznik. (Stoper, Richard) Modified text on 8/14/2007 (B, B). (Entered: 08/13/2007)
08/13/2007	<u>107</u>	Proposed Jury Instructions by Anton Zgoznik (Stoper, Richard) (Entered: 08/13/2007)
08/13/2007	<u>108</u>	Proposed Jury Instructions by United States of America as to Anton Zgoznik (Siegel, John) (Entered: 08/13/2007)
08/14/2007	<u>109</u>	Motion to Quash <i>or, in the Alternative, Motion for Confidentiality Order</i> by Catholic Diocese of Cleveland, Catholic Cemeteries Association, Center for Pastoral Leadership, St. Mary's Seminary and Borromeo Seminary as to Anton Zgoznik. (Attachments: # <u>1</u> Exhibit A: Subpoena to Ciuni & Panichi Inc. CPA# <u>2</u> Exhibit B: Subpoena to Hausser & Taylor LLC)(Sozio, Stephen) Modified text on 8/14/2007 (B, B). (Entered: 08/14/2007)
08/14/2007	<u>110</u>	Initial Response by United States of America to Motion to Exclude <i>and Motion</i> to Strike <i>Evidence</i> <u>106</u> as to Anton Zgoznik (Siegel, John) Modified text on 8/14/2007 (B, B). (Entered: 08/14/2007)
08/14/2007		Attorney update in case: Attorneys Stephen G. Sozio and John M. Newman, Jr. added for Center for Pastoral Leadership, St. Mary's Seminary, and Borromeo Seminary. (B,B) (Entered: 08/14/2007)
08/14/2007	<u>111</u>	Response in opposition to Motion to Quash <i>or, in the Alternative, Motion for Confidentiality Order of Catholic Diocese of Cleveland, Catholic Cemeteris Association, Center for Pastoral Leadership, St. Mary's Seminary and Borromeo Seminary</i> <u>109</u> as to Anton Zgoznik (Attachments: # <u>1</u> Exhibit E-mail Among Counsel)(Stoper, Richard) Modified text on 8/15/2007 (B, B). (Entered: 08/14/2007)
08/15/2007	<u>112</u>	Notice <i>Government's Response in Opposition to Motion re Destruction of Records, Docket #90</i> as to Joseph H. Smith (Siegel, John) Modified to create link on 8/15/2007 (B, B). (Entered: 08/15/2007)
08/15/2007	<u>113</u>	Memorandum and Order in re: (1) defendant Anton Zgozniks (Zgoznik) motion to strike and exclude [Docket No. 106]; (2) Zgozniks motion to compel [Docket No. 102]; and (3) the Catholic Diocese of

		Cleveland, the Catholic Cemeteries Association, the Center for Pastoral Leadership, St. Marys Seminary and Borromeo Seminarys (collectively, the Diocese) motion to quash or in the alternative for a confidentiality order [Docket No. 109]. Order denying <u>102</u> motion to compel as to Joseph H. Smith (1); denying <u>106</u> motion to exclude as to Anton Zgoznic (2); denying <u>106</u> motion to strike as to Anton Zgoznic (2); granting in part and denying in part <u>109</u> motion to quash as to Anton Zgoznic (2). Signed by Judge Ann Aldrich on 8-15-07. (K,V) (Entered: 08/15/2007)
08/15/2007	<u>114</u>	Response to Motion to Quash of Catholic Diocese of Cleveland <i>Subpoenas</i> <u>103</u> as to Joseph H. Smith (Kushner, Philip) Modified text on 8/15/2007 (B, B). (Entered: 08/15/2007)
08/15/2007	<u>115</u>	Motion for Reconsideration re <u>113</u> Order granting Government's request for summary dismissal of motion and overruling defendant Zgoznic's motion to strike and exclude evidence by Anton Zgoznic. (Gragel, Susan) Modified text on 8/15/2007 (B, B). (Entered: 08/15/2007)
08/15/2007	<u>116</u>	Memorandum in support of Motion for Reconsideration re: Order granting Government's request for summary dismissal of motion and overruling defendant Zgoznic's motion to strike and exclude evidence as to Anton Zgoznic (Attachments: # <u>1</u> Letter from John Siegel) (Related doc <u>113</u> , <u>115</u>) (Gragel, Susan) Modified text on 8/15/2007 (B, B). (Entered: 08/15/2007)
08/15/2007	<u>117</u>	Subpoena Returned Executed; served on SCB, Ohio by personal service on 8/15/07 as to Anton Zgoznic (Rotatori, Robert) Modified text on 8/15/2007 (B, B). (Entered: 08/15/2007)
08/15/2007		Minutes of proceedings [non-document] before Judge Ann Aldrich. Status Conference as to Joseph H. Smith, Anton Zgoznic held on 8/15/2007. Discussion on voir dire - to begin at 1:00 p.m. on August 20th in Courtroom 17b. Discussion for preparation of evidentiary hearing on August 16th. Final pretrial to be held on pending motions; the affidavits submitted at the status conference are subject under the conditions applied to Segment II documents in the courts August 9, 2007 order. (Court Reporter none) (K,V) (Entered: 08/15/2007)
08/15/2007	<u>118</u>	Notice of Motion for Confidentiality Order as to Joseph H. Smith, Anton Zgoznic (Attachments: # <u>1</u> Exhibit A: Subpoena issued to PricewaterhouseCoopers LLC)(Sozio, Stephen) (Entered: 08/15/2007)
08/15/2007	<u>119</u>	Order limiting scope of hearing on defendant Joseph Smith's motion regarding destruction of evidence (Related Doc # <u>90</u>) and denying defendant Anton Zgoznic's motion for reconsideration (Related Doc # <u>115</u>). Signed by Judge Ann Aldrich on 8/15/2007. (C,G) (Entered: 08/15/2007)
08/15/2007	<u>120</u>	Response by United States of America in opposition to Motion to Exclude Motion to Strike , or <i>Dismiss Evidence Relating to Count 25</i> <u>105</u> as to Anton Zgoznic (Siegel, John) (Entered: 08/15/2007)
08/15/2007	<u>121</u>	Response by United States of America in opposition to Motion to

Exclude from Evidence Government Exhibits 14, 28-33, 34-35, 147, and Summaries¹⁰⁴ as to Anton Zgoznic (Siegel, John) (Entered: 08/15/2007)

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