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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

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12 UNITED STATES OF AMERICA,  
13 Plaintiff,  
14 vs.  
15 U.S. PRIVATE VAULTS,  
16 Defendant.

CASE NO. 21-CR-00106-MCS  
**JOINDER OF REASON MAGAZINE  
IN MICHELLE FRIEDMAN  
GERLIS'S MOTION TO INTERVENE  
AND FOR ORDER UNSEALING  
SEARCH WARRANT MATERIAL;  
MEMORANDUM OF POINTS AND  
AUTHORITIES**

*[Filed concurrently with Declaration of  
Mike Alissi]*

Date: August 9, 2021  
Time: 3:00 p.m.  
Crtrm.: 7C

Assigned to Hon. Mark C. Scarsi

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**I.**

**INTRODUCTION**

*Reason* Magazine (“*Reason*”) hereby joins Parts III, A and B of Michelle Friedman Gerlis’s Motion to Intervene and Unseal the Search Warrant Material in this matter. Specifically, *Reason* joins and incorporates, the Motion to Intervene and joins, incorporates, and seeks to amplify the First Amendment arguments presented by Ms. Gerlis. As set forth in Ms. Gerlis’s Motion and as further discussed below, there is substantial public interest in the contents of the warrant material and the public’s First Amendment presumptive right of access to that material should not be denied.

**II.**

**ARGUMENT**

**A. Reason Is The Nation’s Leading Libertarian Magazine**

Founded in 1968, *Reason* is the nation’s leading libertarian magazine. It produces and disseminates hard-hitting independent journalism on civil liberties, politics, technology, policy, culture, and economics. *Reason* distributes an average of approximately 50,000 copies of its magazine, which is published 11 times per year. (Declaration of Mike Alissi (“Alissi Decl.”) ¶ 2.) It also operates a website, [www.reason.com](http://www.reason.com), which receives an average of approximately 5.2 million visits per month. (*Id.*)

*Reason* produces original videos that draw an average of approximately 5.3 million views a month, as well as podcasts, live events, and more. Its staffers regularly appear on leading cable news and radio programs and its work is widely cited in the media. Its offices are located in Los Angeles and Washington, D.C. (*Id.* ¶ 3.)

*Reason* is published by Reason Foundation, a non-profit education and research organization founded in 1978 to “advance[] a free society by developing, applying, and promoting libertarian principles, including individual liberty, free markets, and the rule of law.” See <https://reason.org/frequently-asked-questions/#q1>.

1 **B. News Organizations May Intervene In Court Proceedings To Seek Access To**  
2 **Information**

3 News organizations routinely are permitted to intervene in court proceedings to  
4 challenge orders that restrict access to information of public interest. *See, e.g., Press*  
5 *Enterprise, Co. v. Superior Ct.*, 478 U.S. 1 (1986) (press permitted to intervene to  
6 challenge sealing of transcripts); *Press Enterprise Co. v. Superior Ct.*, 464 U.S. 501  
7 (1984); *Globe Newspaper Co. v. Superior Ct.*, 457 U.S. 596 (1982); *United States v. Kott*,  
8 380 F. Supp. 2d 1122, 1123 (C.D. Cal. 2004).

9 Intervention by *Reason* is appropriate here.

10 **C. Reason Seeks The Unsealing Of The Warrant Material In Order To Vindicate**  
11 **Its First Amendment Rights**

12 *Reason* has published six articles about the Government's search and seizure at U.S.  
13 Private Vaults.<sup>1</sup> These articles attracted 485,000 page views at [www.reason.com](http://www.reason.com).  
14 *Reason's* posts about the U.S. Private Vaults matter on Twitter, Facebook, and Instagram  
15 reached 690,000 users and received engagement from 21,000 users. (Alissi Decl. ¶ 4.)

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17 <sup>1</sup> See *Judge Orders FBI To Halt Forfeiture of Cash, Jewelry From Safe Deposit Boxes*,  
Reason, June 24, 2021, available at [https://reason.com/2021/06/24/judge-orders-fbi-to-](https://reason.com/2021/06/24/judge-orders-fbi-to-halt-forfeiture-of-cash-jewelry-from-safe-deposit-boxes/)  
18 [halt-forfeiture-of-cash-jewelry-from-safe-deposit-boxes/](https://reason.com/2021/06/24/judge-orders-fbi-to-halt-forfeiture-of-cash-jewelry-from-safe-deposit-boxes/); *The FBI Returned This Innocent*  
19 *Couple's Safe Deposit Box. It Refuses To Give Back Many Others—and Is Trying To Seize*  
*\$85 Million in Cash*, Reason, June 11, 2021, available at  
20 [https://reason.com/2021/06/11/fbi-raid-safety-deposit-boxes-los-angeles-jennifer-paul-](https://reason.com/2021/06/11/fbi-raid-safety-deposit-boxes-los-angeles-jennifer-paul-snitko-85-million-civil-forfeiture/)  
[snitko-85-million-civil-forfeiture/](https://reason.com/2021/06/11/fbi-raid-safety-deposit-boxes-los-angeles-jennifer-paul-snitko-85-million-civil-forfeiture/); *The FBI Took Their Safe Deposit Box and Everything*  
21 *Inside It. Two Months Later, They're Still Waiting for It To Be Returned*. Reason, May 28,  
22 2021, available at [https://reason.com/2021/05/28/the-fbi-took-their-safe-deposit-box-and-](https://reason.com/2021/05/28/the-fbi-took-their-safe-deposit-box-and-everything-inside-it-two-months-later-theyre-still-waiting-for-it-to-be-returned/)  
[everything-inside-it-two-months-later-theyre-still-waiting-for-it-to-be-returned/](https://reason.com/2021/05/28/the-fbi-took-their-safe-deposit-box-and-everything-inside-it-two-months-later-theyre-still-waiting-for-it-to-be-returned/); *See the*  
23 *FBI Dig Through an Innocent Woman's Safe Deposit Box*, Reason, May 26, 2021,  
24 available at [https://reason.com/2021/05/26/see-the-fbi-dig-through-an-innocent-womans-](https://reason.com/2021/05/26/see-the-fbi-dig-through-an-innocent-womans-safe-deposit-box/)  
[safe-deposit-box/](https://reason.com/2021/05/26/see-the-fbi-dig-through-an-innocent-womans-safe-deposit-box/); *The FBI Seized Heirlooms, Coins, and Cash From Hundreds of Safe*  
25 *Deposit Boxes in Beverly Hills, Despite Knowing 'Some' Belonged to 'Honest Citizens,'*  
Reason, May 10, 2021, available at [https://reason.com/2021/05/10/the-fbi-seized-](https://reason.com/2021/05/10/the-fbi-seized-heirlooms-coins-and-cash-from-hundreds-of-safe-deposit-boxes-in-beverly-hills-despite-knowing-some-belonged-to-honest-citizens/)  
26 [heirlooms-coins-and-cash-from-hundreds-of-safe-deposit-boxes-in-beverly-hills-despite-](https://reason.com/2021/05/10/the-fbi-seized-heirlooms-coins-and-cash-from-hundreds-of-safe-deposit-boxes-in-beverly-hills-despite-knowing-some-belonged-to-honest-citizens/)  
[knowing-some-belonged-to-honest-citizens/](https://reason.com/2021/05/10/the-fbi-seized-heirlooms-coins-and-cash-from-hundreds-of-safe-deposit-boxes-in-beverly-hills-despite-knowing-some-belonged-to-honest-citizens/); *FBI Goes On Fishing Expedition At Safe-*  
27 *Deposit Box Store*. Reason, April 5, 2021, available at  
28 <https://reason.com/2021/04/05/suicides-not-up-during-pandemic-after-all/>



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**PROOF OF SERVICE**

*USA v. U.S. Private Vaults*  
Case No. 21-CR-00106-MCS

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 1875 Century Park East, 23rd Floor, Los Angeles, CA 90067-2561.

On July 26, 2021, I served the following document(s) described as **JOINDER OF REASON MAGAZINE IN MICHELLE FRIEDMAN GERLIS’S MOTION TO INTERVENE AND FOR ORDER UNSEALING SEARCH WARRANT MATERIAL; MEMORANDUM OF POINTS AND AUTHORITIES** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

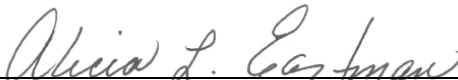
**BY MAIL:** By placing a true copy thereof in sealed envelopes addressed to the parties listed on the attached Service List and causing them to be deposited in the mail at Los Angeles, California. The envelopes were mailed with postage thereon fully prepaid. I am readily familiar with our firm’s practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing affidavit.

**BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused the document(s) to be sent from e-mail address aeastman@birdmarella.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

**BY MESSENGER SERVICE:** I caused the documents to be served by placing them in an envelope or package addressed to the persons at the addresses listed on the Service List and providing them to a professional messenger service for service.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 26, 2021, at Los Angeles, California.

  
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Alicia L. Eastman

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**SERVICE LIST**  
*USA v. U.S. Private Vaults*  
**Case No. 21-CR-00106-MCS**

**VIA U.S. MAIL AND E-MAIL**

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