



United States District Court
Southern District of Ohio
810 Potter Stewart United States Courthouse
100 East Fifth Street
Cincinnati, Ohio 45202

Chambers of
Sandra S. Beckwith
District Judge

Telephone: 513-564-7610
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April 3, 2012

Mr. Philip Eil
109 Medway Street, Apt. 9
Providence, R.I. 02906

RE: United States v. Paul H. Volkman
Case No. 1:07-CR-060

Dear Mr. Eil,

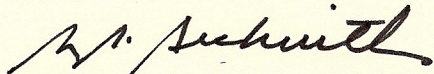
I am writing in response to your letter of March 20, 2012 addressed to the Clerk of this Court, of which you sent a courtesy copy to my chambers. You have requested access to all materials listed on the Exhibit List filed by the Clerk on the docket of this case on August 18, 2011. As your letter recognizes, these materials are voluminous and include medical records and patient and employee information, as well as physical and demonstrative materials.

Defendants Volkman and Denise Huffman are pursuing appeals from the judgments and sentences imposed upon them following the trial. Those appeals are now pending before the Sixth Circuit Court of Appeals, and the entire trial record including the exhibits are formally within that court's custody and control. More important, however, is the fact that a large part of the materials you seek fall within the privacy and non-disclosure protections of the Privacy Act, the Health Insurance Portability and Accountability Act ("HIPPA"), and/or sections of the Internal Revenue Code.

I have been informed that you have sent a similar request for access to the trial exhibits to the United States Attorney's office in this district, and that the U.S. Attorney has forwarded your request to the Department of Justice for a response under the Freedom of Information Act. That agency has the resources and the appropriate procedures in place to respond to your request, taking into account the statutory protections which will require detailed review, and possible

redaction, of each exhibit prior to any public disclosure of these materials. I trust that the Department of Justice will take all appropriate steps to protect the privacy rights of any affected individual, and will respond to you in due course.

Very truly yours,


Sandra S. Beckwith
Senior United States District Judge

cc: Wende C. Cross, Esq.
Candace C. Crouse, Esq.
Kenneth P. Tableman, Esq.
Timothy D. Oakley, Esq.
Adam L. Wright, Esq.
Sixth Circuit Court of Appeals Docket Clerk
(RE: Case Nos. 12-3212 and 12-3213)