

ENTERED

February 23, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

SAMAN AHSANI,
Defendant.

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CRIMINAL ACTION NO. 4:19-CR-147-1

ORDER

Pending before the Court is the Motion of Media Intervenors to Unseal Sentencing Memoranda filed by The Financial Times Ltd. (hereinafter, “Media Intervenors”). (Doc. No. 123). The Defendant, Saman Ahsani, and the United States have filed a joint response in opposition. (Doc. No. 130). The Media Intervenors replied in an informal letter to the Court and copied all counsel of record. (Doc. No. 131).

Judge Gilmore addressed the issues regarding the release of information in this case years ago. She ruled in pertinent part that:

Because public disclosure of the defendants’ ongoing cooperation, release conditions, and other sensitive information would jeopardize the defendants’ safety, the safety of their families, and the integrity of the Government’s ongoing investigation, the Court finds there is a compelling government interest in maintaining appropriate and limited redactions while unsealing the remainder of the judicial records.

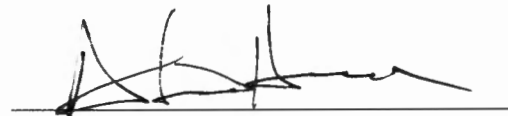
(Doc. No. 83 at 2).

This Court finds no good reason to set aside Judge Gilmore’s order, especially with respect to the sentencing memoranda. (Doc. Nos. 115 and 116). Judge Gilmore clearly anticipated that court filings concerning ongoing cooperation could endanger the safety of the Defendant and his family. It could also undermine ongoing investigations. This Court has reviewed the requested material and finds that each document falls squarely within the above-

quoted portion of Judge Gilmore's ruling. While she and the undersigned have great respect for the First Amendment rights of the press, with regard to the two requested documents, those rights cannot trump the rights of the Defendant to be safe from harm and the Government to have its investigations free from impairment. Finally, this Court has considered the partial remedy of redaction, but finds that appropriate redactions in this instance would essentially destroy any value the documents have and therefore would undermine the very purpose behind the Media Intervenors' request.

The Court therefore DENIES the motion to unseal at this time. This ruling is without prejudice and the Media Intervenors may re-urge said motion if and when circumstances change.

SIGNED at Houston, Texas this 23rd day of February, 2023.

A handwritten signature in black ink, appearing to read 'Andrew S. Hanen', is written over a horizontal line.

Andrew S. Hanen
United States District Judge