

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CRIMINAL NO. 14-CR-40063-JPG
	)	
JAMES NATHANIEL WATTS,	)	
	)	
Defendant.	)	

ORDER

GILBERT, District Judge:

Before the Court is the Government's Unopposed Motion To Appoint Firewall Counsel and Proposed Dates for Rule 16 Disclosure and Evaluation of Defendant (Doc. 481). Having considered the motion, being fully advised of its premises, and for good cause shown,

The Government's unopposed motion (Doc. 481) is **GRANTED**. The Court appoints Brian J. Samuels, Assistant United States Attorney for the Eastern District of Virginia to act as firewall counsel for the government. Samuels shall receive Watts's disclosures under Federal Rule of Criminal Procedure 16(b)(1)(C); manage the Government's expert examination of Watts, including filing the Government's motion for mental condition evaluation of Watts and communication with defense counsel or the Court, if necessary; manage the construction of the Government's rebuttal case until such time as Federal Rule of Criminal Procedure Rule 12.2(c)(2) allows the prosecuting attorneys access to Watts's experts' results and reports; and make the Government's disclosures under Federal Rule of Criminal Procedure 16(a)(1)(G). Neither Samuels nor any of his agents shall communicate about this case to the prosecution team or their agents, and vice versa, after Samuels receives Watts's Rule 16(b)(1)(C) disclosures and continuing until such time as Watts is found guilty of Count 1 (if he is found guilty of Count 1) and confirms his intent to offer during sentencing proceedings expert evidence on mental

condition. Before filing the Government's motion for mental condition examination of Watts, or if any issue requiring Court attention arises in the course of executing the responsibilities assigned to Samuels as firewall counsel, Samuels and defense counsel, or, if appropriate, Samuels *ex parte*, shall contact the Court by calling chambers at 618-439-7720. Samuels shall not be entered as counsel on the docket sheet in this case. The Government is **ORDERED** to file a notice that includes contact information for Samuels – including address, phone number, fax number and e-mail address – so that the Court may communicate with him as necessary.

It is further **ORDERED** that the Fifth Amended Scheduling Order (Doc. 479) be amended to reflect the additional information and dates of disclosure as follows:

April 24, 2017	Defendant's Rule 16(b)(1)(C) disclosure of penalty phase expert mental condition reports, test results, raw data, and all documents relied on in forming the bases of any opinion.
May 1, 2017	Government's motion for mental condition evaluation of Defendant
June 1, 2017	Government's Rule 16(a)(1)(G) disclosure of rebuttal penalty phase mental condition reports, test results, raw data, and all documents relied on in forming the bases of any opinion.

These dates are incorporated in the attached Sixth Amended Scheduling Order reflecting the remaining dates in this case.

IT IS SO ORDERED.
DATED: January 12, 2017

s/ J. Phil Gilbert
J. PHIL GILBERT
United States District Judge