

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

DAVID J. WIDI, JR.,)	
)	
Plaintiff,)	
)	
v.)	2:12-cv-00188-JAW
)	
PAUL MCNEIL, et al.,)	
)	
Defendants.)	

FINAL ORDER ON MOTION TO DISCLOSE

This is a civil action by a customer against a bank for disclosing account information without his permission to a grand jury. The bank has moved for permission to disclose the grand jury subpoena to the customer to confirm that the bank is entitled to assert a defense under the Right to Financial Privacy Act (RFPA) and the Annunzio-Wylie Anti-Money Laundering Act (AWAMLA). *TD Bank, N.A.'s Mot. to Disclose* (ECF No. 124). The Court requested the Government's position and although the Government objected to the release on general principle, it had no specific objection to the release of a copy of the subpoena to Mr. Widi so long as certain personal identifiers for the Assistant United States Attorney who was involved in the case were removed. *Gov't's Resp. to TD Bank's Mot. to Disclose* (ECF No. 129); *Gov't's Ex Parte Supplemental Resp. to TD Bank's Mot. to Disclose Filed Under Seal* (ECF No. 142).

Based on the Government's response, pursuant to Federal Rule of Criminal Procedure 6(e)(3)(E)(i), the Court finds that the rights of the litigants in this case

exceed the impact on the need for grand jury secrecy and the Court GRANTS in part and DENIES in part TD Bank, N.A.'s Motion to Disclose (ECF No. 124). The Court GRANTS TD Bank the authority to disclose to David J. Widi, Jr., a copy of the grand jury subpoena to which it responded, except that the Court DENIES TD Bank the authority to disclose to Mr. Widi that portion of the subpoena that would reveal the personal identifiers of the Assistant United States Attorney who requested that the subpoena be issued. In sum, the Court GRANTS TD Bank the authority to disclose to David J. Widi, Jr. copies of the subpoena that TD Bank received in this case, *see Subpoena to Testify Before Grand Jury* (ECF No. 132), except that TD Bank shall redact all references to the name of the Assistant United States Attorney. As Mr. Widi is receiving a copy of the subpoena that he has sought, the Court DISMISSES as moot David J. Widi, Jr.'s Objection to Order on Motion to Disclose (Doc # 130) and Motion to Strike (Doc # 129) (ECF No. 140).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 28th day of May, 2013