

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GEOFFREY A. HOLLIS, SHARON R.
HOLLIS, EDMUND J. MANSOR, and
ROBERTA M. MANSOR,

Plaintiffs,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

Civil Action No. 1:12-cv-10544-JGD

**DEFENDANT’S REQUEST FOR LEAVE TO FILE A REPLY, AND FOR LEAVE TO
PROVIDE SEALED FILINGS TO CERTAIN GOVERNMENTAL AGENCIES**

Pursuant to Local Rule 7.1(b)(3), Defendant JPMorgan Chase Bank, N.A. (“Chase”) respectfully seeks leave to file a reply brief of no more than 8 pages in response to Plaintiffs’ Objection and Response Regarding Bank Secrecy Act Privilege (“Objection”), dated July 19, 2013, ECF No. 136. Chase believes a short reply brief may assist the Court in ruling on new issues and legal theories raised in Plaintiffs’ Objection, including, *e.g.*, (1) Plaintiffs’ assertion that they require further discovery in order to adequately respond to various pending privilege issues; (2) Plaintiffs’ citation to several cases which they argue support a finding that documents in the Investigative File are not privileged; and (3) various factual allegations made by Plaintiffs in their Objection. Because the issues addressed in the reply will overlap with Chase’s opposition to Plaintiffs’ renewed motion to compel, ECF No. 137, Chase proposes to file both briefs on the date the opposition to the motion to compel is due, on August 2, 2013.

Chase also requests leave to provide to Financial Crimes Enforcement Network (“FinCEN”) and to the Department of Justice, in addition to the Office of the Comptroller of the

Currency (“OCC”),¹ any briefs or other filings sealed by the Court pursuant to the Bank Secrecy Act, 31 U.S.C. § 5318 and regulations thereunder.² Chase is required by law to notify FinCEN, in addition to the OCC, of any requests to disclose information privileged under the BSA. 31 C.F.R. § 1020.320(e). As such, both the OCC and FinCEN have an interest in learning the context of such requests and Chase’s response thereto, and Chase wishes to confirm that it may provide relevant materials to those agencies as part of its statutory obligations.

Accordingly, Chase requests that the Court grant it leave to (1) file a reply of no more than 8 pages in response to Plaintiffs’ Objection on or before August 2, 2013, and (2) provide to FinCEN and/or the Department of Justice as appropriate any filings relating to issues arising under the BSA and which would otherwise remain sealed.

Chase has consulted with counsel for Plaintiffs, who has indicated he does not assent to Chase’s request to file a reply.

Respectfully submitted,

JPMORGAN CHASE BANK, N.A.

By their attorneys,

/s/ Beth I.Z. Boland

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Date: July 22, 2013

¹ The Department of Justice formally represents FinCEN in any court proceedings. *See* 28 U.S.C.A. § 517. The OCC already has access to such files in the wake of its submission of an *amicus* brief in this matter and its request for access to same.

² Such sealed filings include documents assigned ECF numbers 33, 43, 45, 46, 50, 51, 54, 58, 63, 68, 69, 77, 78, 83, 86, 94, 95, 96, 108, 109, 110, 114, 115, 116, 132 as well as any other and future filings sealed for the purposes of 31 U.S.C.A. § 5318(g).

CERTIFICATE OF SERVICE

I hereby certify that the above document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on July 22, 2013.

/s/ Stephen Quinlan

Stephen Quinlan