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FEDERAL BUREAU OF INVESTIGATION
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Criminal Case No. 06CR1806-W
)
Plaintiff,)
)
v.)
)
STERLING WAYNE PIRTLE (1),)
RONALD ALLEN FISHER (2),)
MARK EDWARD FISHER (3),)
)
Defendants.)
_____)

This matter comes before the court upon the Motion of the United States for an order regarding the waiver of privileges related to former Commercial Money Center ("CMC") counsel Harold Gewerter ("Gewerter").

After considering the Motion and the file in this case, the court finds good cause for the relief requested, and

IT IS HEREBY ORDERED that the Motion is granted.

IT IS HEREBY FURTHER ORDERED that the bankruptcy trustee's waiver of CMC's attorney-client privilege on April 21, 2005, in Bankruptcy Case No. 02-09721-H7, as affirmed by the bankruptcy court's order on May 31, 2005, includes all communications between the defendants and Gewerter related to CMC.

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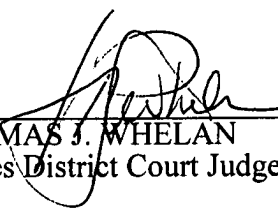
IT IS HEREBY FURTHER ORDERED that the bankruptcy trustee's waiver of CMC's attorney work product privilege on April 21, 2005, in Bankruptcy Case No. 02-09721-H7, as affirmed by the bankruptcy court's order on May 31, 2005, includes Gewerter's work product related to CMC.

IT IS HEREBY FURTHER ORDERED that the waiver of the attorney-client privilege regarding communications between the defendants and Gewerter includes the admissions the defendants made to Gewerter, referred to in the United States' Motion as the "confrontation" and "mea culpas," shortly after the filing of the complaints and temporary restraining orders on February 1, 2002.

IT IS HEREBY FURTHER ORDERED that the waiver of the attorney-client privilege regarding communications between the defendants and Gewerter includes the statements the defendants made to Gewerter regarding the destruction of CMC computers.

IT IS SO ORDERED.

DATED: 4/23/08.



HON. THOMAS J. WHELAN
United States District Court Judge