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January 14, 2022

Bennett Starnes  
Trial Attorney, Special Matters Unit  
United States Department of Justice  
Criminal Division, Fraud Section  
1400 New York Avenue NW  
Washington, DC 20530

Re: *United States v. Kenneth Bryan Ritchey*, 1:21-CR6-HSO-RPM

Dear Mr. Starnes,

Thank you for your letter of December 17, 2021 and your follow up email on January 6, 2022. I write to ask for additional clarification on the process you are using to conduct the filter review of the material seized from Gulf Coast Pharmaceuticals Plus ("GCPP"). Your letter did not provide any details of the filter review process you are using. I do not understand how you can effectively review the seized records for potentially privileged materials without reviewing each document individually. Unless you can provide a sufficient explanation of the process you are employing to ensure that the government is identifying and returning all potentially privileged records in your possession, we will have no choice but to seek the intervention of the court.

With regard to the material identified pursuant to the execution of the second search warrant, we ask that you continue to withhold that information from the prosecution team pending the resolution of our Rule 41(g) motion to return illegally obtained property. We are addressing the illegal search of GCPP property done at the direction of the prosecution team by separate letter, and we are asking that the prosecution team voluntarily identify all records that were obtained by third parties from within GCPP at the request of the prosecution team. The evidence obtained as a result of warrantless searches of GCPP property appears to have been relied upon to obtain the second search warrant. Should we be unable to come to an agreed resolution of that issue, we will promptly file the aforementioned Rule 41(g) motion.

Please let us hear back from you at your first opportunity, with a full explanation of the filter review process you are using to ensure that the government identifies and returns all copies of potentially privileged material to GCPP and/or Mr. Ritchey.

Bennett Starnes  
January 14, 2022  
Page Two

I can be reached at [sgilbert@watkinseager.com](mailto:sgilbert@watkinseager.com) or at 601-965-1922.

Sincerely,

WATKINS & EAGER PLLC

*Scott Gilbert / by LP*

J. Scott Gilbert

cc: Darren J. LaMarca, United States Attorney, SDMS  
Pat Lemon, Chief, Criminal Division, United States Attorney's Office, SDMS  
Sara Porter, Trial Attorney  
Kat Van Buskirk, AUSA  
Arthur Madden, Esq.