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District of Arizona

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JAN 25 2010	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,
Plaintiff,

v.

Daniel Rigmaiden,
a.k.a. Steven Travis Brawner,
a.k.a. Travis Rupard, and
a.k.a. Patrick Stout,
Defendant.

CR 08-814-PHX-DGC

**RESPONSE TO DEFENDANT'S
MOTION FOR
RECONSIDERATION OF "MOTION
TO UNSEAL PROCEEDINGS"**

(Filed Under Seal)

SEALED

The United States, by and through undersigned counsel, hereby responds to Defendant's Motion for Reconsideration of "Motion to Unseal Proceedings" as Follows. Upon receipt of defendant's formal request in the form of the subject motion, the government has no objection to defendant's request to unseal this case. For the record, the government has requested that this case be sealed to date in order to offer the defendant the opportunity to assist in the apprehension of others who possess similar skills which enable them to attempt to defraud, and defraud, the government out of potentially millions of dollars and/or prevent such schemes from succeeding in the future. The sole advantage to the government of defendant's requested cooperation was the potential prevention of similar fraudulent schemes in the future and/or the apprehension of others involved in such schemes. The government believed that if defendant's potential cooperation remained unknown, it would have been more effective. The potential benefit to the defendant was at the very least the possibility of the receipt of a government motion recommending a reduced sentence at the time of defendant's sentencing. As the defendant has

1 clearly expressed his present intent to not cooperate and assist the government, this case may be
2 unsealed upon Order of this Court.

3 Respectfully submitted this 25th day of January, 2010.

4
5 DENNIS K. BURKE
6 United States Attorney
7 District of Arizona

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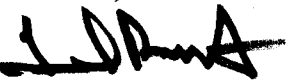
9 FREDERICK A. BATTISTA
10 Assistant U.S. Attorney

11 **CERTIFICATE OF SERVICE**

12 I hereby certify that on January 25, 2010, I caused the attached document to be filed under
13 seal with the Clerk's Office and a copy to be mailed to defendant and defendant's shadow
14 counsel Philip A. Seplow at the following addresses:

15
16 Daniel Rigmaiden
17 Agency No. 10966111
18 CCA-CADC
19 Post Office Box 6300
20 Florence, Arizona 85132

21 Philip A. Seplow
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