

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

UNITED STATES OF AMERICA,)
)
)
 Plaintiff,)
vs.) **NO: 2:10-cr-186-MHT-001**
)
JARROD MASSEY,)
)
)
 Defendants.)

**MOTION TO QUASH DEFENDANT WALKER'S
MOTION FOR PRODUCTION**

COMES NOW, JARROD MASSEY, in objection to Defendant Walker's Motion for Production, and says, as follows:

1. Counsel for defendant Jarrell Walker filed a Motion for Production for Jarrod Massey to produce and disclose a diary/list.
2. The document referenced by defendant Jarrell Walker was only brought to his attention after successfully subpoenaing Mr. Massey's jail phone calls over his objection.
3. Counsel for Mr. Massey do not deny that such a document exists; however, the document was prepared by Mr. Massey at the request of counsel. The specific intent on behalf of both Mr. Massey and counsel was that the document was clearly an attorney client communication.

4. Mr. Massey has not waived any attorney client privilege as it relates to this document. His private jail phone calls were subpoenaed by defendant Jarrell Walker and he was asked questions relating to this document while testifying under oath, to which he responded truthfully.
5. Consequently, Defendant Walker's requested Motion For production seeks information which is invasive of the attorney-client privilege. *See, R. 501, et seq., Federal Rules of Evidence.*

WHEREFORE, PREMISES CONSIDERED, Jarrod Massey, objects to the Motion For Production, and respectfully requests the Court to enter an order quashing said motion.

Respectfully Submitted,

s/Brett M. Bloomston
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing pleading has been served on all counsel of record, by electronic filing, this the 5th day of July, 2011.

s/Brett M. Bloomston
OF COUNSEL