

Erwin Deborah K - CT

From: Needle Martin E - CT
Sent: Tuesday, January 11, 2011 10:31 AM
To: Ruger James W
Cc: Erwin Deborah K - CT
Subject: RE: US v. Warshak
Categories: NUUU

Jim,

I have not heard anything related to this opinion. We have always taken the position that a warrant is necessary when retrieving e-mails that are less than 180 days old.

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From: Ruger James W [mailto:James.Ruger@ci.irs.gov]
Sent: Monday, January 10, 2011 3:02 PM
To: Needle Martin E - CT; Erwin Deborah K - CT
Cc: Ruger James W; Winsten David A (CI)
Subject: US v. Warshak

Martin and Debbie,

In US v. Warshak, 2010 U.S. App. LEXIS, Dec 14, 2010, the 6th Circuit held the government violated the SCA or that parts of the SCA were unconstitutional. It dealt with the government seizing defendants' emails from the ISP with a subpoena and a court order, rather than with a warrant. Have you heard of any fallout from this opinion. The convictions were upheld based on good faith reliance.
Thanks - Jim

1/22/2013

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