

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

HEEBE ET AL. \* CIVIL ACTION  
\*  
VERSUS \* NO: 10-3452  
\*  
UNITED STATES OF AMERICA \* SECTION: "C" (5)  
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**PLAINTIFFS' MEMORANDUM REGARDING**  
**FILING CABINETS AND FILE FOLDERS**

NOW INTO COURT through undersigned counsel come petitioners, Frederick R. Heebe, A.J. Ward, Shadowlake Management, ("Shadowlake"), Willow, Inc., Fred Heebe Investments, Live Oak Homes Corporation ("Live Oak"), Heebe & Heebe, P.L.C., and River Birch, Inc. ("River Birch"), who respectfully submit the following memorandum in response to the Court's questions about certain filing cabinets and file folders located at 2000 Belle Chasse Highway.

**I. Black filing cabinets in the former law offices of Peter J. Butler, L.L.C.**

The black filing cabinets in the former law offices of Peter J. Butler, L.L.C. contain Mr. Butler's files, both for River Birch, Inc. and other clients. The individual file folders inside these

cabinets are marked with Peter J. Butler, L.L.C.'s file numbers. The drawers labeled "River Birch" contain Mr. Butler's files on various litigation and transactional matters he handled for River Birch.

The files in Mr. Butler's cabinets have been there since before the search on September 23, 2010. Some documents in those files may have been generated between the search on September 23, 2010 and Mr. Butler's retirement on November 31, 2010, but the files are substantially the same as they were on the date of the search. Anything currently in those black file cabinets was not seized by the Government in the search. The Government returned a number of items it seized from the law offices of Peter J. Butler, and those materials have not been re-filed but are in the possession of undersigned counsel.

## **II. Tan filing cabinet**

The tan filing cabinet in the file room contains River Birch, Inc.'s old files on numerous matters, including reports on environmental regulation and compliance, various law suits, information about vendors and customers, and agreements with environmental consultants. The files in this cabinet date from approximately 1993 to approximately 2007.

The plaintiffs are unsure whether the Government seized any documents from this cabinet. However, everything currently in this tan filing cabinet was not seized by the Government. Any documents returned by the Government after the search are in the possession of undersigned counsel and have not been re-filed.

Respectfully submitted,

/s/ William P. Gibbens

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 14, 2011, I electronically filed the foregoing pleading with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to the following:

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*/s/William P. Gibbens*

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