

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

United States of America,	:	
	:	Case No.: 1:20-cr-077
Plaintiff,	:	
v.	:	Judge Timothy S. Black
	:	
Matthew Borges,	:	
	:	
Defendant.	:	

**DEFENDANT BORGES’ RESPONSE TO THE GOVERNMENT’S MOTION TO
AMEND CONDITIONS OF BOND (R.123)**

Defendant, Matthew Borges (“Borges”), through counsel, hereby provides his Response to the Government’s Motion to Amend Conditions of Bond (R.123). Borges does not oppose a modification of bond “prohibit[ing] him from posting or otherwise disseminating the sensitive personal identifying information of CHS-1[.]” *Id.* at PageID 3461. Borges has faithfully and diligently complied with the already imposed conditions of release—such as surrendering a firearm, passport, and notifying Pretrial Services of out-of-district travel—and will comply with the Government’s proposed amended condition.

Nonetheless, given the overtures of the Government’s Motion, there is some additional background information relevant to the Court’s consideration. The Franklin County, Ohio Auditor’s Office produced a copy of CHS-1’s employment file pursuant to a public records request. Apparently, the Auditor’s Office failed to redact sensitive personal identifying information from that file. Borges then linked a copy of that file to his website. The publication of

CHS-1's personal identifying information by Borges was inadvertent, just as it must have been inadvertent by the Auditor's Office to that information in the first place.

On June 21, 2022, counsel became aware of the issue and immediately contacted Borges. Counsel understands that the information was removed from Borges' website within minutes of that communication.

Based on the foregoing, Borges denies that there was any unlawful intent or effort to intimidate or harass CHS-1; nevertheless, Borges does not oppose the Government's requested amendment to his conditions of release.

Respectfully submitted,

/s/ Karl H. Schneider

Karl H. Schneider (0012881), Lead Counsel

Todd A. Long (0082296)

MCNEES WALLACE & NURICK LLC

21 East State Street, Suite 1700

Columbus, Ohio 43215

Telephone: (614) 719-2843

Facsimile: (614) 469-4653

kschneider@mcneeslaw.com

tlong@mcneeslaw.com

Counsel for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Response was electronically filed with the Clerk of the United States District Court using the CM/ECF system on August 4, 2022, which will send notification of such filing to all attorneys of record including Assistant United States Attorneys Emily Glatfelter and Matthew Singer.

/s/ Karl H. Schneider

Karl H. Schneider (0012881), Lead Counsel