
6th Circuit Rejects "Taint Team" For Privilege Screens On Grand Jury Subpoenas

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On July, 13, 2006, the United States Court of Appeals for the Sixth Circuit addressed the issue of who has the right to conduct a privilege screen of documents subject to a grand jury subpoena directed to an entity that possesses the documents but has not yet produced them to the government. The court held that a third party's interest in protecting its privilege in the documents outweighed the government interest in using a taint team. However, the court mandated the appointment of a Special Master to conduct the initial segregation of documents.

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