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## Third Circuit Clarifies Appellate Review of Orders to Produce Allegedly Privileged Documents

**Date:** 05/30/12

On May 24, 2012, the United States Court of Appeals for the Third Circuit held, in a split decision in *In Re Grand Jury: ABC Corp.; John Doe 1; John Doe 2*, that to obtain appellate review of orders to produce allegedly privileged documents the privilege holder must disobey the disclosure order, be held in contempt, and then appeal the contempt order. The court's decision narrowly construed the exception to the contempt rule in *Pelzman v. United States*, 247 U.S. 7 (1918).

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### Attorney

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