



assumed that the government has no opposition to the motion and any objections it might have had to the motion are waived. Accordingly, Lazar's motion that the government clarify its response No. 7 to defendant's omnibus discovery motion is granted. Within eleven days of the date of entry of this order, the government shall clarify its response by indication whether any surveillance of Dr. Lazar or his attorneys took place at any time or whether surveillance took place but the government will not disclose it.

IT IS SO ORDERED this 24th day of November, 2004.

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DIANE K. VESCOVO  
UNITED STATES MAGISTRATE JUDGE