

**CUSTOMER'S MOTION TO CHALLENGE GOVERNMENT'S ACCESS  
TO FINANCIAL RECORDS**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

CASE NUMBER 1:98MS00262

**C. AUSTIN FITTS,**

JUDGE: Stanley Sporkin.

**Movant,**

DECK TYPE: MISCELLANEOUS

DATE STAMP: 07/21/98

v.

**UNITED STATES DEPARTMENT OF  
HOUSING AND URBAN DEVELOPMENT,**

**Respondent.**

**C. AUSTIN FITT'S MOTION FOR ORDER  
PURSUANT TO CUSTOMER CHALLENGE PROVISIONS  
OF THE RIGHT TO FINANCIAL PRIVACY ACT OF 1978**

C. Austin Fitts hereby moves this Court, pursuant to Section 1110 of the Right to Financial Privacy Act of 1978, 12 U.S.C. § 3410, for an order preventing the government from obtaining access to the personal financial records of C. Austin Fitts. The agency seeking access is the Department of Housing and Urban Development, Office of Inspector General ("OIG"). Ms. Fitts' personal financial records which are the subject of the OIG's July 7, 1998 subpoena are held by Citibank. N.A.

In support of this motion, Ms. Fitts respectfully refers the Court to her sworn statement and the memorandum of law, which are filed with this motion.

Respectfully submitted,

July 21, 1998

A handwritten signature in cursive script, appearing to read "Kenneth E. Ryan", is written over a horizontal line.

Michael J. McManus, Esq. (#262832)  
Kenneth E. Ryan, Esq. (#419558)  
DRINKER, BIDDLE & REATH, LLP  
The McPherson Building  
901 Fifteenth Street, NW, Suite 900  
Washington, DC 20005

Counsel for C. Austin Fitts

Pursuant to Section 1110 of the Right to Financial Privacy Act of 1978, 12 U.S.C. § 3410