
Posted on Tue, Apr. 12, 2005

Plea to lift gag order in radar-gun case denied

By **NICOLE WEISENSEE EGAN**
weisenn@phillynews.com

U.S. Middle District Judge Sylvia Rambo has denied a motion by *Daily News* attorneys to lift a gag order in a case involving the state police radar- gun scandal, she said yesterday.

Rambo imposed the gag order in December, after a *Daily News* story detailed the state police's cover-up of radar-gun problems. The story cited hundreds of pages of internal state police documents, which were obtained during the discovery process in a federal lawsuit filed by Tim Shingara, the state police's former radar expert.

Rambo cited concerns about more media coverage stemming from unrestricted access to more internal documents that could be released as the lawsuit progresses.

"This litigation has already generated a significant amount of media attention," Rambo, sitting in Harrisburg, wrote in a nine-page memorandum. "The discovery materials the PSP [Pennsylvania State Police] has disclosed to plaintiff, if released to the media, threaten to prejudice the public from which jurors will be selected."

In her order, Rambo said documents obtained during the discovery process can go only to the parties in the suit and their attorneys. If either side wants to give documents to anyone else, such as the media, then they must tell the opposing side. If the opposing side objects, then Rambo will decide if the documents can be released.

In his suit against the state police, Shingara alleges his radar duties were stripped from him after he testified publicly about the Genesis hand-held radar gun giving inaccurate readings.

The *Daily News* has not decided whether to appeal Rambo's decision.

© 2005 Philadelphia Daily News and wire service sources. All Rights Reserved.
<http://www.philly.com>