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 21 *Midwest Industrial Supply, Inc.*

22 **UNITED STATES DISTRICT COURT**
 23 **IN AND FOR THE DISTRICT OF ARIZONA**

24 SOILWORKS, LLC, an Arizona
 25 corporation,
 26
 27 Plaintiff / Counterdefendant /
 28 Counterclaimant,

v.

29 MIDWEST INDUSTRIAL SUPPLY, INC.,
 30 an Ohio corporation authorized to do
 31 business in Arizona,
 32
 33 Defendant / Counterclaimant /
 34 Counterdefendant.

NO.: 2:06-CV-2141-DGC

**MIDWEST INDUSTRIAL SUPPLY,
 INC.'S MOTION TO FILE EXHIBIT
 UNDER SEAL INSTANTER**

1 Midwest Industrial Supply, Inc. (“Midwest”) hereby moves this Honorable Court to
2 permit the filing, under seal, of Midwest’s *Exhibit F - Deposition of Chad Falkenberg* in
3 support of Midwest’s *Opposition to Soilworks, LLC's Untimely Witness and Report and*
4 *Motion in Limine to Prevent Evidence and Testimony of the Same* filed on March 11, 2009.
5 Midwest’s *Sealed Exhibit* has been electronically filed under seal contemporaneously with
6 the present motion.
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13 Respectfully submitted,

14 By: /s/Anastasia J. Wade

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that copies of the foregoing **MIDWEST INDUSTRIAL SUPPLY, INC.’S MOTION TO FILE EXHIBIT UNDER SEAL** *INSTANTER* and **PROPOSED ORDER** were filed electronically on March 11, 2009. Notice of this filing will be sent to all parties by operation of the Court’s electronic filing system. Parties may access this filing through the Court’s system.

/s/ Anastasia J. Wade
Anastasia J. Wade