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16 The Association of International Automobile Manufacturers

17 **IN THE UNITED STATES DISTRICT COURT FOR THE**
18 **EASTERN DISTRICT OF CALIFORNIA**

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CENTRAL VALLEY CHRYSLER-JEEP, INC., et al,)	CASE NO. CIV-F-04-6663-AWI-GSA
Plaintiffs,)	STIPULATION AND ORDER FOR UNSEALING CERTAIN DEPOSITION TRANSCRIPTS
v.)	
JAMES GOLDSTENE, in his official capacity as Executive Officer of the California Air Resources Board,)	
Defendant,)	
THE ASSOCIATION OF INTERNATIONAL AUTOMOBILE MANUFACTURERS,)	
Plaintiff-Intervenor,)	
SIERRA CLUB, NATURAL RESOURCES DEFENSE COUNCIL, ENVIRONMENTAL DEFENSE, BLUEWATER NETWORK, GLOBAL EXCHANGE and RAINFOREST ACTION NETWORK,)	
Defendant-Intervenors.)	

1 WHEREAS on November 8, 2006, the Association of International Automobile
2 Manufacturers ("AIAM") submitted an ex parte application seeking to file the following
3 documents under seal:

4 1. the declaration of Charles H. Haake in Support of the Motion of Plaintiff
5 Intervenor Association of International Automobile Manufacturers for Summary Judgment (ECF
6 419) and attached exhibits thereto including:

7 a. Exhibit C thereto: the lodged deposition of Charles Martin Shulock;
8 b. Exhibit D thereto: the lodged deposition of Paul Hughes; and
9 c. Exhibit E thereto: the lodged deposition of Steve Albu.

10 WHEREAS on November 13, 2006, this Court granted this motion and filed the
11 above-referenced documents under seal.

12 WHEREAS on November 13, 2006, AIAM submitted an ex parte application seeking to
13 file under seal other excerpts from the deposition of Steve Albu, which were attached as Exhibit
14 "C" to the Declaration of Charles H. Haake in Support of Plaintiff Intervenor the Association of
15 International Automobile Manufacturers' Opposition to Defendant and Defendant Intervenors'
16 Motion for Summary Judgment (Ripeness) (ECF 445).

17 WHEREAS on November 14, 2006, this Court granted this motion and filed the
18 above-referenced document under seal.

19 WHEREAS AIAM sought to file these materials under seal because these deposition
20 transcripts were designated "Highly Confidential" under this Court's protective order.

21 WHEREAS the parties have since determined that the above-referenced material does not
22 contain confidential or proprietary information and that these materials has became a matter of
23 public record in the Green Mountain Chrysler trial in the United States District Court for the
24 District of Vermont.

25 WHEREAS in light of the foregoing and the appellants' intention to include these
26 materials in the appellate record, the parties to this action stipulate, through their respective
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1 attorneys of records, that the above-referenced depositions should be unsealed.

2 THEREFORE, IT IS STIPULATED AND AGREED that:

3 The following material should be unsealed and included in the district court's record in
4 this matter:

5 1. The declaration of Charles H. Haake in Support of the Motion of Plaintiff
6 Intervenor Association of International Automobile Manufacturers for Summary Judgment and
7 attached exhibits thereto (ECF 419) including

8 a. the lodged deposition of Charles Martin Shulock;
9 b. the lodged deposition of Paul Hughes;
10 c. the lodged deposition of Steve Albu;

11 2. Exhibit "C" to the Declaration of Charles H. Haake in Support of Plaintiff
12 Intervenor the Association of International Automobile Manufacturers' Opposition to Defendant
13 and Defendant Intervenors' Motion for Summary Judgment (Ripeness) (ECF 445).

14 DATED February 6, 2009

15 GIBSON, DUNN & CRUTCHER, LLP

16 By:/s/ Raymond B. Ludwiszewski
17 Raymond B. Ludwiszewski

18 Attorneys for Plaintiff-Intervenor,
19 Association of International Automobile Manufacturers

20 KIRKLAND & ELLIS LLP

21 By:/s/ Andrew B. Clubok (as authorized 2/4/2009)
22 Andrew B. Clubok
23 Attorney for all Plaintiffs

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1 EDMUND G. BROWN JR.,
2 Attorney General of the State of California
3 SIERRA CLUB
4 NATURAL RESOURCES DEFENSE COUNCIL
5 ENVIRONMENTAL DEFENSE
6 BLUEWATER NETWORK
7 GLOBAL EXCHANGE
RAINFOREST ACTION NETWORK,

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9 By:/s/ Kathleen A. Kenealy (as authorized 2/6/2009)
10 Kathleen A. Kenealy
11 On Behalf of Defendant and Defendant-Intervenors

12 ORDER

13 IT IS SO ORDERED.

14 **Dated: February 6, 2009**

15 /s/ **Anthony W. Ishii**
16 CHIEF UNITED STATES DISTRICT JUDGE