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7  
 8 IN THE UNITED STATES DISTRICT COURT  
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 10

11 UNITED STATES OF AMERICA,  
 12 Plaintiff,  
 13 v.  
 14 SIERRA PACIFIC INDUSTRIES, *et al.*,  
 15 Defendants.  
 16

CASE NO. 2:09-cv-02445-KJM-EFB

**UNITED STATES OF AMERICA'S  
 REQUEST TO SEAL DOCUMENTS AND  
 TO FILE REDACTED DOCUMENTS IN  
 SUPPORT OF THE UNITED STATES'  
 OPPOSITION TO SIERRA PACIFIC  
 INDUSTRIES' MOTION TO COMPEL;  
 ORDER THERETO**

**[EDCA L.R. 141]**

17 \_\_\_\_\_  
 18 AND RELATED CROSS-ACTIONS  
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**REQUEST TO SEAL DOCUMENTS AND TO FILE REDACTED DOCUMENTS**

20 Pursuant to Local Rules 140 and 141, the United States of America hereby respectfully requests  
 21 that this Court seal two pages of exhibit 2 to the Declaration of Kelli L. Taylor, which are being filed in  
 22 opposition to Sierra Pacific Industries' ("SPI") Request for Reconsideration of the Order Denying its  
 23 Motion to Compel, and to permit the United States to file these 2 pages under seal only. These two  
 24 pages (pages 355 and 356 of the deposition of Karen Juska) contain and/or directly cite or refer  
 25 information that has been marked confidential in this action. The United States likewise respectfully  
 26 seeks to file an opposition redacting the sentence that refers to the contents of these documents. The  
 27  
 28

Notice of Request to Seal Documents  
and to File Redacted Documents

1 United States believes that the filing of this information in the public docket as part of this lawsuit may  
2 be prohibited by the Privacy Act of 1974, 5 U.S.C. § 552a, and/or would otherwise affect the privacy  
3 rights of third-parties not represented in this litigation. This information is also subject to the terms of a  
4 Protective Order entered by this Court. *See* Docket Entry 64. The United States submits the  
5 declaration of Kelli Taylor, and exhibits thereto, to refute SPI's allegations with respect to an alleged  
6 "cover-up" and to otherwise oppose SPI's request for reconsideration for denial of its motion to  
7 compel. The United States requests that the documents remain under seal for the duration of this  
8 lawsuit. The United States has already served by email a complete, unredacted copy of the opposition  
9 and declarations of Kelli Taylor, and exhibits thereto, to moving party SPI, pursuant to local rules and  
10 the terms of the Protective Order. The United States has also filed redacted copies in the public docket.

11 For the foregoing reasons, the United States requests that the Court seal pages 355 and 356  
12 attached as Exhibit 2 to the declaration of Kelli Taylor.

13 Respectfully submitted,

14 BENJAMIN B. WAGNER  
15 United States Attorney

16 Date: February 28, 2011


17 By: /s/ Kelli L. Taylor  
18 KELLI L. TAYLOR  
19 TODD A. PICKLES  
20 Assistant U.S. Attorneys  
21 Counsel for the United States of America  
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1 **ORDER**

2 Pursuant to Local Rules 140 and 141, and for the reasons stated in the United States of  
3 America's Request to Seal Documents in Support of the United States's Opposition to Sierra Pacific  
4 Industries' Request for Reconsideration of Order Denying its Motion to Compel and to File Redacted  
5 Documents, the Court hereby ORDERS that identifying information is to be redacted from page 355,  
6 line 5 to page 356, line 3 of Exhibit 2 to the declaration of Kelli Taylor and opposition referring thereto  
7 pursuant to Local Rule 140. The unredacted documents are to be filed under seal pursuant to Local  
8 Rule 141(e)(2)(i) for the duration of this lawsuit, and the United States shall file the redacted versions  
9 of these documents in the public docket. Thereafter, the documents filed under seal shall be returned to  
10 the United States pursuant to Local Rules.

11 IT IS SO ORDERED.

12 Date: March 4, 2011.

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15 UNITED STATES DISTRICT JUDGE  
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