| 1<br>2   | JOSPEH P. RUSSONIELLO (CASBN 44332)<br>United States Attorney                                       |  |  |
|----------|-----------------------------------------------------------------------------------------------------|--|--|
| 3        | BRIAN J. STRETCH (CASBN 163973)<br>Chief, Criminal Division                                         |  |  |
| 4        | MATTHEW A. PARRELLA (NYSBN 2040855)<br>JEFFREY D. NEDROW (CASBN 161299)                             |  |  |
| 5        | JEFFREY R. FINIGAN (CASBN 168285)<br>J. DOUGLAS WILSON (DCBN 412811)                                |  |  |
| 6<br>7   | Assistant United States Attorney<br>450 Golden Gate Avenue, Box 36055                               |  |  |
| ,<br>8   | San Francisco, California 94102<br>Telephone: (415) 436-7232                                        |  |  |
| 9        | Facsimile: (415) 436-7234<br>Email: jeffrey.finigan@usdoj.gov                                       |  |  |
| 10       | Attorneys for Plaintiff                                                                             |  |  |
| 11       | UNITED STATES DISTRICT COURT                                                                        |  |  |
| 12       | NORTHERN DISTRICT OF CALIFORNIA                                                                     |  |  |
| 13<br>14 | SAN FRANCISCO DIVISION                                                                              |  |  |
| 15       |                                                                                                     |  |  |
| 16       | UNITED STATES OF AMERICA,<br>Plaintiff,<br>)<br>UNITED STATES' MOTION TO SEAL                       |  |  |
| 17       | v. ) WITH UNITED STATES' RESPONSE TO                                                                |  |  |
| 18       | BARRY LAMAR BONDS, ) MOTION TO DISMISS                                                              |  |  |
| 19<br>20 | Defendant.                                                                                          |  |  |
| 21       | ·                                                                                                   |  |  |
| 22       |                                                                                                     |  |  |
| 23       | The government hereby moves the Court for an order sealing the transcript of defendant              |  |  |
| 24       | Barry L. Bonds's appearance before the grand jury. The government filed the transcript as an        |  |  |
| 25       | exhibit to its response to Defendant's Motion to Dismiss or Alternatively to Strike Portions of the |  |  |
| 26       | Indictment. As a record of a matter occurring before the grand jury, the transcript must remain     |  |  |

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United States' Sealing Motion

sealed under Federal Rule of Criminal Procedure 6(e)(2).

| 1        | DATED: February 19, 2008      | Respectfully submitted,                                      |
|----------|-------------------------------|--------------------------------------------------------------|
| 2        |                               | JOSEPH P. RUSSONIELLO                                        |
| 3        |                               | United States Attorney                                       |
| 4        |                               | /s/                                                          |
| 5        |                               | /s/<br>J. DOUGLAS WILSON<br>Assistant United States Attorney |
| 6        |                               |                                                              |
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|          | United States' Sealing Motion | 2                                                            |

| 1        | ORDER                                                                                           |  |  |
|----------|-------------------------------------------------------------------------------------------------|--|--|
| 2        | Based upon the foregoing request, the Court hereby <b>ORDERS</b> that the transcript of         |  |  |
| 3        | defendant Barry L. Bonds appearance before the grand jury, which was filed as an exhibit to the |  |  |
| 4        | United States' Response to Defendant's Motion to Dismiss, shall be filed and kept under seal by |  |  |
| 5        | the clerk of the Court until further order of the Court.                                        |  |  |
| 6        |                                                                                                 |  |  |
| 7        | DATED:<br>SUSAN ILLSTON                                                                         |  |  |
| 8        | UNITED STATES DISTRICT JUDGE                                                                    |  |  |
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|          | United States' Sealing Motion 3                                                                 |  |  |
|          |                                                                                                 |  |  |