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 16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN FRANCISCO DIVISION**

19 THE ANSCHUTZ CORPORATION,

20 Plaintiff,

21 v.

22 MERRILL LYNCH & CO., INC.;;
 23 MERRILL LYNCH, PIERCE,
 FENNER & SMITH INCORPORATED;
 24 DEUTSCHE BANK SECURITIES INC.;;
 MOODY'S INVESTORS SERVICE,
 25 INC.;; THE MCGRAW-HILL
 COMPANIES, INC.;; FITCH, INC.;;
 AND FITCH RATINGS, LTD.,

26 Defendants.

Case No. C 09-3780-SI

**[PROPOSED] ORDER GRANTING
 DEFENDANT FITCH, INC.'S EX PARTE
 APPLICATION TO FILE DOCUMENT
 UNDER SEAL [DN 308]**

1
2 Upon consideration of Defendant Fitch, Inc.'s ("Fitch") *ex parte* application for an order
3 permitting Fitch to file under seal a portion of the Parties' November 30, 2011 Joint Statement
4 regarding the confidentiality designation of certain documents [DNs 308, 309], and upon
5 consideration of this Court's order denying Fitch and Deutsche Bank Securities Inc.'s motion to
6 redesignate the documents [DN 310], and of the December 5, 2011 Declaration of Andrew M.
7 Hetherington in Support of Defendant Fitch, Inc.'s *Ex Parte* Application To File Document
8 Under Seal, and good cause showing,

9 IT IS HEREBY ORDERED that the information redacted by Fitch from the publicly filed
10 version of the parties' Joint Statement may be filed under seal pursuant to Civil Local Rule 79-5;
11 and

12 IT IS FURTHER ORDERED that the information redacted by Fitch from the publicly
13 filed version of Fitch's supplemental statement to the Court may be filed under seal pursuant to
14 Civil Local Rule 79-5.

15 The Clerk of the Court shall file the above-referenced documents under seal.

16 IT IS SO ORDERED.

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18 Dated: 12/12, 2011



19
20 Honorable Susan Illston
21 United States District Judge
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