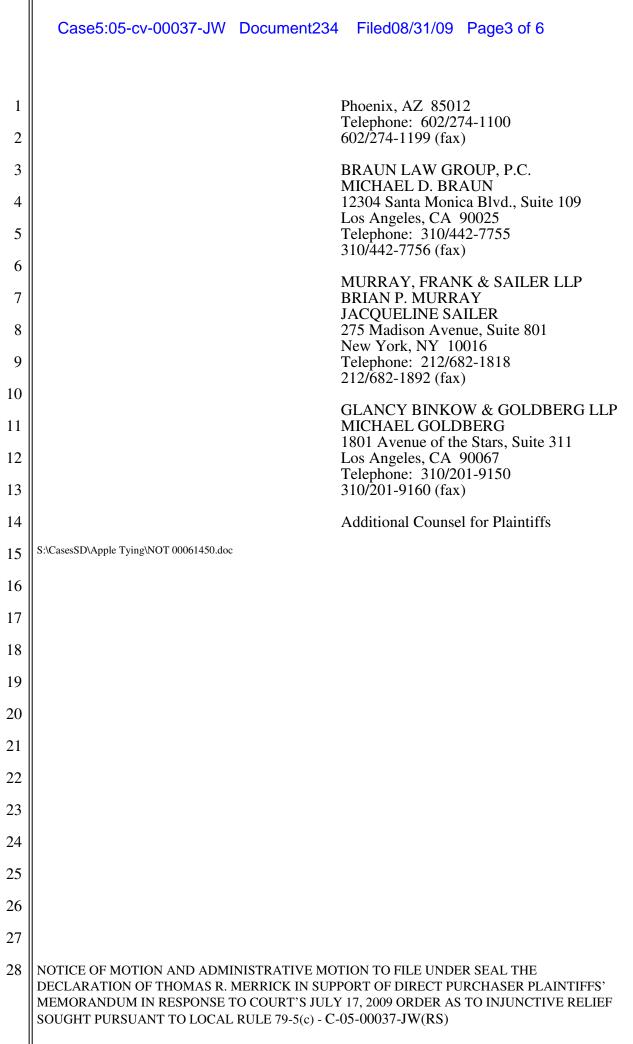
1	TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD
2	PLEASE TAKE NOTICE that, pursuant to Local Rule 7-11(a) and 79-5(c), on October 5,
3	2009 at 9:00 a.m., or as soon thereafter as counsel may be heard, in Courtroom 8, Fourth Floor,
4	located at 280 South First Street, San Jose, California, before the Honorable James Ware, United
5	States District Judge, Plaintiffs Somtai Troy Charoensak, Mariana Rosen, and Melanie Tucker
6	(collectively "Plaintiffs") will move for permission from the Court to file under seal the Declaration
7	of Thomas R. Merrick in Support of Direct Purchaser Plaintiffs' Memorandum in Response to
8	Court's July 17, 2009 Order as to Injunctive Relief Sought.
9	The reasons supporting Plaintiffs' administrative motion are set forth in the Declaration of
10	Thomas R. Merrick filed concurrently herewith. Plaintiffs have also concurrently lodged a proposed
11	order.
12	DATED: August 31, 2009 COUGHLIN STOIA GELLER
13	RUDMAN & ROBBINS LLP JOHN J. STOIA, JR.
14	BONNY E. SWEENEY THOMAS R. MERRICK
15	
16	s/ Thomas R. Merrick THOMAS R. MERRICK
17	655 West Broadway, Suite 1900
18	San Diego, CA 92101 Telephone: 619/231-1058
19	619/231-7423 (fax)
20	THE KATRIEL LAW FIRM ROY A. KATRIEL
21	1101 30th Street, N.W., Suite 500 Washington, DC 20007
22	Telephone: 202/625-4342 202/330-5593 (fax)
23	Co-Lead Counsel for Plaintiffs
24	BONNETT, FAIRBOURN, FRIEDMAN
25	& BALINT, P.C. ANDREW S. FRIEDMAN
26	FRANCIS J. BALINT, JR. ELAINE A. RYAN
27	TODD D. CARPENTER 2901 N. Central Avenue, Suite 1000
28	NOTICE OF MOTION AND ADMINISTRATIVE MOTION TO FILE UNDER SEAL THE DECLARATION OF THOMAS R. MERRICK IN SUPPORT OF DIRECT PURCHASER PLAINTIFFS'
	MEMORANDUM IN RESPONSE TO COURT'S JULY 17, 2009 ORDER AS TO INJUNCTIVE RELIEF SOUGHT PURSUANT TO LOCAL RULE 79-5(c) - C-05-00037-JW(RS) - 1 -



- 2 -

1	CERTIFICATE OF SERVICE
2	I hereby certify that on August 31, 2009, I electronically filed the foregoing with the Clerk of
3	the Court using the CM/ECF system which will send notification of such filing to the e-mail
4	addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have
5	mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF
6	participants indicated on the attached Manual Notice List.
7	I certify under penalty of perjury under the laws of the United States of America that the
8	foregoing is true and correct. Executed on August 31, 2009.
9	
10	<u>s/ Thomas R. Merrick</u> THOMAS R. MERRICK
11	COUGHLIN STOIA GELLER
12	RUDMAN & ROBBINS LLP 655 West Broadway, Suite 1900
13	San Diego, CA 92101-3301 Telephone: 619/231-1058
14	619/231-7423 (fax)
15	E-mail: tmerrick@csgrr.com
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## Mailing Information for a Case 5:05-cv-00037-JW

## **Electronic Mail Notice List**

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## **Manual Notice List**

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

## Todd David Carpenter

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