## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

WILLIAM V. AGUIAR, III,		)	
	Plaintiff,	)	
V.		)	C.A. NO. 07-11673 MLW
FLOYD WEBB,		)	
	Defendant.	) )	

# UNOPPOSED MOTION TO SEAL DECLARATION OF WILLIAM V. AGUIAR, III IN SUPPORT OF OPPOSITION TO DEFENDANT FLOYD WEBB'S APPLICATION FOR ATTORNEYS' FEES

Pursuant to Rule 7.2(d) of the Local Rules of the United States District Court for the District of Massachusetts ("LR 7.2(d)"), Plaintiff William V. Aguiar, III ("Aguiar") hereby moves this Court in advance for an order permitting him to file under seal his opposition to Defendant Webb's Application for Attorneys' Fees and supporting declaration. Plaintiff requests that the opposition and declaration be kept under seal until the earlier of (i) final judgment in this action or (ii) further order of this Court. Plaintiff respectfully suggests that the opposition and declaration be maintained by the Clerk of the United States District Court for the District of Massachusetts in a sealed envelope, to which shall be attached the Court's Order on Sealing. Plaintiff further suggests that such opposition and declaration not be scanned or entered into the District's electronic filing system. In support of this motion, Plaintiff states as follows:

The opposition and declaration that Plaintiff seeks to file under seal contain personal
and financial information about Plaintiff relevant to his financial ability to pay
attorney's fees sought by Defendant. This information does not relate to the

substantive legal issues presented in this action or to discovery issues. According, Plaintiff respectfully requests that this information not be included in the public file.

- 2. Counsel for the Defendant does not oppose the relief sought in this motion.
- 3. The granting of this motion is otherwise in the interests of justice.

#### **CONCLUSION**

For the foregoing reasons, the Plaintiff respectfully requests that his motion be granted.

WILLIAM V. AGUIAR, III,

By his attorneys,

/s/ Heather B. Repicky

Ian D. Roffman (BBO# 637564) Heather B. Repicky (BBO# 663347) Nutter McClennen & Fish LLP World Trade Center West 155 Seaport Boulevard Boston, MA 02210 (617)439-2000 hrepicky@nutter.com

Dated: May 23, 2008

### **RULE 7.1 CERTIFICATION**

I hereby certify that counsel for Plaintiff conferred with counsel for Defendant and have attempted in good faith to resolve or narrow the issues presented in this Motion. Defendant does not oppose the relief sought in this motion.

/s/ Heather B. Repicky
Heather B. Repicky

#### CERTIFICATE OF SERVICE

I certify that, on May 23, 2008, this document (filed through the ECF system) will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants

/s/ Heather B. Repicky
Heather B. Repicky

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