

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERNEST FLAGG, as Next Friend of
JONATHAN BOND, a Minor,

Plaintiffs,

Case No. 05-CV-74253
Hon. Gerald Rosen
Magistrate Judge R. Steven Whalen

v.

CITY OF DETROIT, a municipal corporation;
DETROIT POLICE CHIEF ELLA BULLY-
CUMMINGS; DEPUTY DETROIT POLICE
CHIEF CARA BEST; JOHN DOE POLICE
OFFICERS 1-20; ASST. DEPUTY POLICE
CHIEF HAROLD CURETON; COMMANDER
CRAIG SCHWARTZ; POLICE LT. BILLY
JACKSON; MAYOR KWAME M. KILPATRICK,
CHRISTINE BEATTY, Jointly and Severally,

Defendants.

NOTICE OF DOCUMENTS FILED UNDER SEAL

PLEASE TAKE NOTICE that Non-Party Bell Industries, Inc. d/b/a SkyTel ("SkyTel")
FILED UNDER SEAL and hand-delivered to U.S. District Judge Gerald E. Rosen, three (3)
CDs containing incoming or outgoing text messages or other communications maintained by
Skytel on behalf of the City of Detroit that originated from or were received by any City of
Detroit official or employee on April 30, 2003, by Non-Party Bell Industries, Inc. d/b/a SkyTel
("SkyTel"). SkyTel filed the CDs under seal with the Court pursuant to a September 18, 2008

Stipulation and Order [Docket No. 147] and instructions from Magistrate Judge Whalen in the Order dated September 5, 2008 [Docket No. 141] [See Exhibit A].

Respectfully submitted,

WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.

By: /s/ David E. Plunkett

Thomas G. Plunkett (P18957)

David E. Plunkett (P66696)

Attorneys for Non-Party Bell Industries, Inc.
d/b/a SkyTel

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Dated: September 19, 2008

CERTIFICATE OF SERVICE

David E. Plunkett hereby certifies that on September 19, 2008 he served the attached Notice of Documents filed Under Seal using the ECF system which will send notification to counsel of record.

/s/ David E. Plunkett
Williams, Williams, Rattner & Plunkett, P.C.
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EXHIBIT A



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September 19, 2008

David E. Plunkett
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By Hand-Delivery

Honorable Gerald E. Rosen
United States District Court
Eastern District of Michigan
Theodore Levin United States Courthouse
231 W. Lafayette Boulevard, Room 730
Detroit, Michigan 48226

Re: Flagg v. City of Detroit, etc., et al.
Case No. 05-CV-74253

Dear Judge Rosen:

Pursuant to Magistrate Whalen's September 5, 2008 Order, as amended by the stipulated Order entered by Magistrate Whalen on September 18, 2008, enclosed please find three (3) sealed envelopes containing text messages or other communications, maintained by Non-Party Velocita Wireless, LLC f/k/a Bell Industries, Inc. d/b/a SkyTel ("SkyTel") on behalf of the City of Detroit, that originated from or were received by any City of Detroit official or employee on April 30, 2003. The envelopes are intended to be provided, still under seal, to Magistrate Judge Whalen and Magistrate Judge Hluchaniuk.

Please contact the undersigned if there are any questions regarding this production.

Sincerely,

WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.

David E. Plunkett

DEP:djq
Enclosures