anticipation of litigation and "is subject to protection pursuant to Rule 26(b)(4)(D)." Docket No. 58 at 7. The Court finds compelling reasons to seal it.

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¹ The parties assert that the good cause standard applies to the sealing of the exhibit in relation to the response to the motion to exclude. Because the Court finds compelling reasons for sealing the exhibit, it need not address whether the lower good cause standard applies.

Accordingly, the Court GRANTS the motion to seal. The Clerk's Office is INSTRUCTED to seal Docket Nos. 89 and 90 in their entirety. Defendants are further **ORDERED** to re-file on the public docket, no later than September 16, 2015, the documents at Docket Nos. 89 and 90 with place holders for the subject document.

IT IS SO ORDERED.

DATED: September 9, 2015

NANCY J. KOPPE United States Magistrate Judge