



BOSTON CONNECTICUT FLORIDA NEW JERSEY NEW YORK PROVIDENCE WASHINGTON, DC

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March 28, 2022

VIA ECF

The Honorable P. Kevin Castel
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

*Application
provisionally
GRANTED.*
SO ORDERED
[Signature]
VSDJ
9-15-22

Re: CBF Industria De Gusa, S/A, et al., v. AMCI Holdings, Inc., et al.,
Case No. 13 -cv-2581 (PKC) (JLC)

Dear Judge Castel:

We write pursuant to Rule 5(B) of Your Honor's Individual Practices to seek leave to file with redactions and/or under seal certain documents submitted in connection with Plaintiffs' reply on their motion for summary judgment/opposition to Defendants' motion for summary judgment, and Plaintiffs' reply on their motion to preclude. Specifically, Plaintiffs seek leave to file redacted versions of:

- Plaintiffs' Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment and Reply in Support of Plaintiffs' Motion for Partial Summary Judgment;
- Plaintiffs' Response to Defendants' Rule 56.1 Statement of Undisputed Material Facts;
- The Declaration of Christopher A. Klimmek dated March 28, 2022 (the "Klimmek Declaration"); and
- Plaintiffs' Reply Memorandum of Law in Further Support of Their Motion to Preclude.



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Plaintiffs further seek leave to file the Exhibits to the Klimmek Declaration identified in the attached Appendix A to this letter under seal.

Pursuant to the Stipulated Protective Order in place in this matter (ECF No. 120), Defendants have designated a number of exhibits and certain testimony upon which Plaintiffs intend to rely in their papers as either “Confidential” or “Restricted Confidential.” In view of Defendants’ designations, paragraph 10 of the Stipulated Protective Order requires Plaintiffs to file such exhibits and testimony under seal. Further, because the above-listed declarations, statements, and memoranda disclose information designated by Defendants as either “Confidential” or “Restricted Confidential,” Plaintiffs seek leave to file those documents in redacted form. Plaintiffs note that the Court previously permitted similar types of documents to be filed under seal on Defendants’ prior application made in connection with this motion. (*See* ECF No. 575.)

We thank the Court for its consideration of this request.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Elizabeth J. Sher'.

Elizabeth J. Sher



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APPENDIX A
EXHIBITS SUBJECT TO PENDING MOTION TO SEAL

| | |
|-------------------------|--------------------------|
| Plaintiffs' Exhibit 400 | Plaintiffs' Exhibit 381 |
| Plaintiffs' Exhibit 363 | Plaintiffs' Exhibit 387 |
| Plaintiffs' Exhibit 71 | Plaintiffs' Exhibit 227 |
| Plaintiffs' Exhibit 145 | Plaintiffs' Exhibit 468 |
| Plaintiffs' Exhibit 183 | Plaintiffs' Exhibit 273 |
| Plaintiffs' Exhibit 375 | Plaintiffs' Exhibit 90 |
| Plaintiffs' Exhibit 376 | Plaintiffs' Exhibit 334 |
| Plaintiffs' Exhibit 377 | Plaintiffs' Exhibit 335 |
| Plaintiffs' Exhibit 299 | Plaintiffs' Exhibit 602 |
| Plaintiffs' Exhibit 300 | Plaintiffs' Exhibit 611 |
| Plaintiffs' Exhibit 303 | Plaintiffs' Exhibit 623 |
| Plaintiffs' Exhibit 378 | Plaintiffs' Exhibit 627A |
| Plaintiffs' Exhibit 379 | Plaintiffs' Exhibit 630 |
| Plaintiffs' Exhibit 144 | Plaintiffs' Exhibit 631 |
| Plaintiffs' Exhibit 79 | Plaintiffs' Exhibit 632 |
| Plaintiffs' Exhibit 369 | Plaintiffs' Exhibit 596 |
| Plaintiffs' Exhibit 370 | Plaintiffs' Exhibit 694 |
| Plaintiffs' Exhibit 87 | Plaintiffs' Exhibit 695 |
| Plaintiffs' Exhibit 320 | Plaintiffs' Exhibit 696 |
| Plaintiffs' Exhibit 201 | Plaintiffs' Exhibit 697 |
| Plaintiffs' Exhibit 106 | Plaintiffs' Exhibit 698 |
| Plaintiffs' Exhibit 411 | Plaintiffs' Exhibit 699 |
| Plaintiffs' Exhibit 412 | Plaintiffs' Exhibit 700 |
| Plaintiffs' Exhibit 380 | Plaintiffs' Exhibit 703 |
| Plaintiffs' Exhibit 360 | Plaintiffs' Exhibit 704 |
| Plaintiffs' Exhibit 55 | Plaintiffs' Exhibit 705 |
| Plaintiffs' Exhibit 579 | Plaintiffs' Exhibit 706 |
| Plaintiffs' Exhibit 57 | Plaintiffs' Exhibit 707 |
| Plaintiffs' Exhibit 204 | Plaintiffs' Exhibit 708 |
| Plaintiffs' Exhibit 553 | Plaintiffs' Exhibit 709 |
| Plaintiffs' Exhibit 272 | |