IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARC BRAGG, Esq., an individual, Plaintiff, v. LINDEN RESEARCH, INC., a corporation, and PHILIP ROSEDALE, an individual, Defendants.	:	Civil Action No. 06-cv-4925 **JUDGE EDUARDO ROBRENO**

ORDER

After consideration of Plaintiff's "Motion to Strike and/or Amend Joint Report of the Parties Pursuant to Federal Rule of Civil Procedure 26(f), this Court hereby ORDERS, ADJUDGES AND DECREES as follows:

WHEREBY the following language deleted in the Rule 26(f) report filed by Defense counsel is inserted into the Rule 26(f) report following the sentence: "Plaintiff indicated his willingness to consider a confidentiality agreement to cover specific trade secrets and believes that any such information should be considered on a case-by-case basis." (Docket #65 p.6)

> Plaintiff opposes a blanket confidentiality agreement and that the scope of any proposed confidentiality agreement was unclear to Plaintiff. No such proposed confidentiality agreement has ever been provided to Plaintiff. Plaintiff indicated his willingness to consider a confidentiality agreement to cover specific trade secrets and believes that any such information should be considered on a case-by-case basis. It is Plaintiff's position that confidentiality is particularly inappropriate given that the Defendants sought to obtain confidentiality through their arbitration clause, and that such clause was deemed unconscionable. Further, Defendants published portions of their Answer and Counterclaim on their website which Plaintiff believes are defamatory per se and, as such, any confidentiality of these proceedings would be inappropriate.

WHEREBY the following language included in the Rule 26(f) report filed by Defense counsel is stricken from the motion and the record of this case:

> …Defendants represented that all discoverable material within their custody, possession, or control was being preserved in accordance with their obligations…

WHEREBY the following language deleted in the Rule 26(f) report filed by Defense counsel is inserted into the Rule 26(f) report:

> Defendants stated that while there was a general business practice of preservation of material, there have been changes made to the websites at issue and that electronic material such as chat logs, land auctions, etc. may have been deleted in the ordinary course of business.

By the Court

July ___, 2007

_____
United States District Court
Eastern District of Pennsylvania
Judge Eduardo Robreno