

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

RICKY B. PERRITT, Individually; §
THE CUPCAKERY, LLC, a Texas Limited §
Liability Company; BUSTER BAKING, §
LLC, a Texas Limited Liability Company; §
THE WOODLANDS BAKING, LLC, §
a Texas Limited Liability Company; §
CUSTOM VERSION CORPORATION, §
a Texas Corporation §

Plaintiffs, §

Civil Action No. 4:11-CV-23

v. §

PAMELA F. JENKINS, Individually; and §
THE CUPCAKERY LLC, a Nevada §
Limited Liability Company §

Defendants. §

**UNOPPOSED MOTION TO FILE THE PARTIES’ JOINT DISCOVERY/CASE
MANAGEMENT PLAN UNDER SEAL**

Plaintiffs RICKY B. PERRITT, Individually, THE CUPCAKERY, LLC, a Texas Limited Liability Company, BUSTER BAKING, LLC, a Texas Limited Liability Company, THE WOODLANDS BAKING, LLC, a Texas Limited Liability Company, and CUSTOM VERSION CORPORATION, a Texas Corporation, by and through their attorneys, hereby move this Court to file the Parties’ Joint Discovery/Case Management Plan (“Joint Discovery Plan”) under seal. The Joint Discovery Plan contains information which has been alleged to be confidential.

Counsel for Plaintiffs has conferred with counsel for Defendants in the above styled and numbered cause, and counsel for Defendants does not oppose this motion.

Accordingly, Plaintiffs respectfully request that the Court grant Plaintiffs' motion to file the Parties' Joint Discovery Plan under seal.

Respectfully submitted,

SIEBMAN, BURG, PHILLIPS & SMITH, LLP

/s/ Clyde M. Siebman

CLYDE M. SIEBMAN

State Bar No. 18341600

BRYAN H. BURG

State Bar No. 03374500

STEPHANIE R. BARNES

State Bar No. 24045696

Federal Courthouse Square

300 North Travis Street

Sherman, Texas 75090

Telephone: (903) 870-0070

Facsimile: (903) 870-0066

clydesiebman@siebman.com

bryanburg@siebman.com

stephaniebarnes@siebman.com

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

The undersigned certifies that on this 4th day of May, 2011, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3). Any other counsel of record will be served by a facsimile transmission and/or first class mail.

/s/ Clyde M. Siebman

CERTIFICATE OF CONFERENCE

This is to certify that counsel for Plaintiffs have complied with LR CV-7(h) and counsel for Defendants has indicated that this Motion is **not** opposed.

/s/ Clyde M. Siebman