

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 PLAINTIFFS’ MOTION FOR LEAVE AND
SUPPLEMENTAL SURREPLY BRIEF
IN OPPOSITION TO DEFENDANTS’ MOTION TO TRANSFER VENUE 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 (collectively “Plaintiffs”), by and through their attorneys, hereby move this Court to file both (1) Plaintiffs’ Motion for Leave to File Plaintiffs’ Supplemental Surreply Brief in Opposition to Defendants’ Motion to Transfer Venue and (2) Plaintiffs’ Supplemental Surreply Brief in Opposition to Defendants’ Motion to Transfer Venue and all exhibits thereto (“Plaintiffs’ Motion for Leave and Supplemental Surreply”) under seal. Plaintiffs’ Motion for Leave and Supplemental Surreply contain and/or refer to information

which has been alleged to be confidential by Defendants. Plaintiffs dispute this characterization; however, Plaintiffs move to file their Motion for Leave and Supplemental Surreply under seal until this issue is resolved.

Accordingly, Plaintiffs respectfully request that the Court grant Plaintiffs' motion to file their Motion for Leave and Supplemental Surreply Brief in Opposition to Defendants' Motion to Transfer Venue under seal.

Respectfully submitted,

SIEBMAN, BURG, PHILLIPS & SMITH, LLP

/s/ Stephanie R. Barnes

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 7th day of July, 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/ Stephanie R. Barnes