

FILED

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY TDM
DEPUTY CLERK

**IMMUNOCEPT, LLC, PATRICE ANNE
LEE, AND JAMES REESE MATSON,**

Plaintiffs,

vs.

FULBRIGHT & JAWORSKI, LLP,

Fulbright.

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CAUSE NO. A 05 CA 334 SS

**UNOPPOSED MOTION TO FILE UNDER SEAL PLAINTIFFS'
RESPONSE TO FULBRIGHT'S MOTION TO EXCLUDE THE TESTIMONY OF
RINALDO BELLOMO**

COMES NOW, Fulbright & Jaworski, LLP ("Fulbright"), and files this Unopposed Motion to File Under Seal Plaintiffs' Response to Fulbright's Motion to Exclude the Testimony of Rinaldo Bellomo and the Appendix thereto, and in support thereof, would respectfully show the Court as follows:

On this date Plaintiffs are filing their Response to Fulbright's Motion to Exclude the Testimony of Rinaldo Bellomo ("Response"). Plaintiffs are also filing the Appendix to Plaintiffs' Response to Fulbright's Motion to Exclude the Testimony of Rinaldo Bellomo ("Appendix"). The Response and Appendix are being filed with the Court under seal pursuant to the Agreed Protective Order entered by this Court on October 24, 2005, which

**UNOPPOSED MOTION TO FILE UNDER SEAL PLAINTIFFS' RESPONSE TO FULBRIGHT'S
MOTION TO EXCLUDE THE TESTIMONY OF RINALDO BELLOMO** **PAGE 1**

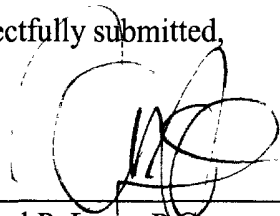
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requires the parties to file under seal documents produced in discovery and designated by the Producing Party as "Confidential." See Agreed Protective Order ¶ 7.

Certain of the documents and deposition excerpts included in the Appendix to the Response have been designated as "Confidential" either by the Plaintiffs, Plaintiffs' experts, or by third-party Johnson & Johnson. Similarly, the Response includes references to and quotations from material designated as "Confidential."

In view of the foregoing, Plaintiffs request that the Court order that the Response and Appendix be filed under seal.

Respectfully submitted,



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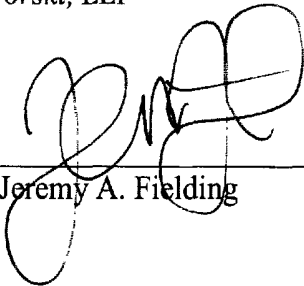
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served *via facsimile* on this the 20th day of March, 2006:

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