

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

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

Plaintiffs, §

v. §

FULBRIGHT & JAWORSKI, LLP, §

Defendant. §

CAUSE NO. A050A334 SS

FILED  
MAR 24 2006  
CLERK  
WESTERN DISTRICT OF TEXAS  
BY [Signature]  
DEPUTY CLERK

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**UNOPPOSED MOTION TO FILE UNDER SEAL DEFENDANT  
FULBRIGHT & JAWORSKI, LLP'S MOTION TO EXCLUDE  
THE TESTIMONY OF JAMES REESE MATSON**

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COMES NOW, Fulbright & Jaworski, LLP ("Fulbright"), and files this Unopposed Motion to File Under Seal its Motion to Exclude the Testimony of James Reese Matson, and in support thereof, would respectfully show the Court as follows:

On this date Fulbright is filing its Motion to Exclude the Testimony of James Reese Matson ("Motion"). The Motion is being filed with the Court under seal pursuant to the Protective Order entered by this Court on October 24, 2005, which 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 Motion have been designated as "Confidential" either by the Plaintiffs, Plaintiffs' experts, or by third-party Johnson & Johnson. Similarly, the Motion includes references to and quotations from material designated as "Confidential."

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None of the materials at issue were marked "Confidential" by Fulbright, but Fulbright is filing under seal to comply with its obligations under the Agreed Protective Order. Fulbright expresses no opinion as to whether the materials labeled as "Confidential" are entitled to such protection.

In view of the foregoing, Fulbright requests that the Court order that its Motion to Exclude the Testimony of James Reese Matson be filed under seal.

Respectfully submitted,

By: 

David J. Beck  
Texas Bar No. 00000070  
Jeff Golub  
Texas Bar No. 00793823  
Geoff A. Gannaway  
Texas Bar No. 24036617  
Connie H. Pfeiffer  
Texas Bar No. 24046627

1221 McKinney St., Suite 4500  
Houston, Texas 77010-2010  
Telephone: (713) 951-3700  
Facsimile: (713) 951-3720

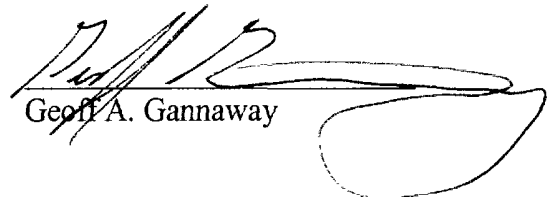
**ATTORNEYS FOR DEFENDANT  
FULBRIGHT & JAWORSKI, LLP**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served as shown below on counsel of record on March 23, 2006.

Via Certified Mail, Return-Receipt Certified

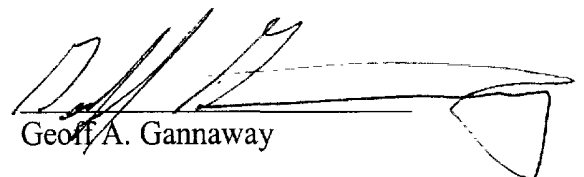
Michael P. Lynn, P.C.  
Jeffrey M. Tillotson, P.C.  
John D. Volney  
Jeremy Fielding  
Lynn Tillotson & Pinker, LLP  
750 N. St. Paul St., Suite 1400  
Dallas, Texas 75201



Geoff A. Gannaway

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that he has in good faith conferred with the Plaintiffs in an effort to resolve this dispute without court action. Plaintiffs' counsel Jeremy Fielding has indicated that he is not opposed to this Motion.



Geoff A. Gannaway