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Hon. Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

JOHN R. BUND II, personally, as Executor of
the Estate of Richard C. Bund, deceased, S.
SCOTT JAMES and NOEL L. JAMES, a
married couple, and on behalf of others
similarly situated,

Plaintiffs,

vs.

SAFEGUARD PROPERTIES, LLC, a
Delaware corporation,

Defendant.

No. 2:16-cv-920 MJP

STIPULATED MOTION TO FILE
DOCUMENTS UNDER SEAL

(CLERK’S ACTION REQUIRED.)

**NOTED FOR MOTION:
APRIL 27, 2018**

I. INTRODUCTION

Pursuant to LCR 5(g)(2) and the protective order in this case, Dkt. # 68, plaintiffs will file certain documents designated confidential under seal as exhibits D, E, and F to the Supplemental Declaration of Clay M. Gatens in Support of Plaintiffs’ Motion for Preliminary Injunction (“Gatens Decl.”). The parties jointly request the Court to grant this motion regarding those documents.

II. STIPULATED STATEMENT OF FACTS

The parties entered into a stipulated protective order, which the Court signed March 22, 2017. Dkt. Nos. 67, 68. The order permits parties to designate documents as confidential, Dkt. # 68, p. 2 (¶ 2) and p. 4 (¶ 5.3), and to file confidential documents under seal in accordance with

STIPULATED MOTION TO FILE DOCUMENTS
UNDER SEAL - 1
2:16-cv-920 MJP

1 LCR 5(g). *Id.*, p. 4.

2 On Wednesday, April 25, 2018, Plaintiffs’ counsel alerted defendant’s counsel that
3 plaintiffs intended to file materials from Safeguard’s master services agreements with two of its
4 clients – documents designated confidential pursuant to the protective order’s enumerated
5 categories of “master services agreements with clients,” and relatedly, “client list.” See Dkt. #
6 68, p. 2:2-5 (¶ 2(ii)-(iii)). The parties conferred pursuant to LCR 5(g)(1)(A) on Wednesday,
7 April 25, 2018, and on Thursday, April 26, 2018, to discuss and to explore alternatives to filing
8 documents under seal. Following several written communications, attorneys Devon Gray (for
9 plaintiffs) and Pamela DeVet (for defendant) conferred via telephone. The parties certify the
10 foregoing pursuant to LCR 5(g)(3)(A).

11 Plaintiffs do not challenge defendant’s confidentiality designations in connection with
12 the documents plaintiffs intend to file in support of their motion for class certification.

13 The Court previously granted the parties’ stipulated motion to seal other documents from
14 categories enumerated in the stipulated protective order. Dkt. # 89.

15 **III. AUTHORITY**

16 For the reasons set out in the Court’s Order sealing confidential documents, Dkt. # 89,
17 pp. 2-10, and the evidence cited therein including Dkt. # 85, good cause and compelling reasons
18 exist to seal Safeguard’s confidential master services agreements with its clients. The parties
19 jointly request that the Court grant this motion to seal those documents pursuant to the protective
20 order and the requirements of the local rules.

1 DATED this 27th day of April, 2018.

2
3 JEFFERS, DANIELSON, SONN &
4 AYLWARD, P.S.

5 By: /s/ Clay M. Gatens

6 Clay M. Gatens, WSBA No. 34102
7 Sally F. White, WSBA No. 49457
8 Devon A. Gray, WSBA No. 51485
9 Of Attorneys for Plaintiffs
10 Jeffers, Danielson, Sonn & Aylward, P.S.
11 2600 Chester Kimm Road
12 P.O. Box 1688
13 Wenatchee, WA 98807-1688
14 509-662-3685
15 ClayG@jdsalaw.com
16 SallyW@jdsalaw.com
17 DevonG@jdsalaw.com

18 DATED this 27th day of April, 2018.

19 DAUDT LAW PLLC

20 By: /s/ Michael D. Daudt

21 Mr. Michael D. Daudt, WSBA # 25690
22 Associated Counsel for Plaintiff
23 Daudt Law PLLC
24 2200 Sixth Avenue, Suite 1250
25 Seattle, WA 98121-1820
(206) 445-7733
mike@daudtlaw.com

DATED this 27th day of April, 2018.

TERRELL MARSHALL LAW GROUP

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PLLC

By: /s/ Blythe H. Chandler
Beth E. Terrell, WSBA No. 26759
Blythe H. Chandler, WSBA No. 43387
Of Attorneys for Plaintiff John R. Bund, II
Terrell Marshall Law Group PLLC
936 N. 34th Street, Suite 300
Seattle, WA 98103-8869
(206) 816-6603
bterrell@terrellmarshall.com
bchandler@terrellmarshall.com

DATED this 27th day of April, 2018.

LEE SMART, P.S., INC.

By: /s/ Pamela J. DeVet
Pamela J. DeVet, WSBA No. 32882
Kellan W. Byrne, WSBA No. 49825
Of Attorneys for Defendant
Safeguard Properties Management, LLC
Lee Smart, P.S., Inc.
701 Pike Street, Suite 1800
Seattle, WA 98101
(206) 624-7990
pjd@leesmart.com
kwb@leesmart.com

DATED this 27th day of April, 2018.

KIRKLAND & ELLIS LLP

By: /s/ Leonid Feller
Leonid Feller, Illinois Bar Number 6274905
Admitted *pro hac vice*
Of Attorneys for Defendant
Safeguard Properties Management, LLC
Kirkland & Ellis LLP
300 North LaSalle, Chicago, IL 60654

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248-760-6812
leonid.feller@kirkland.com

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IV. ORDER

It is so ordered.

Dated this 30th day of April, 2018.



The Honorable Marsha J. Pechman
United States Senior District Court Judge

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the date provided at the signature below, I electronically filed the
3 preceding document with the Clerk of the Court using the CM/ECF system, which will send
4 notification of such filing to the following individuals:

5 Mr. Clay Gatens
6 Ms. Devon A. Gray
7 Jeffers, Danielson, Sonn & Aylward, P.S.
8 2600 Chester Kimm Road
9 Wenatchee, WA 98801-811
10 clayg@jdsalaw.com
11 DevonG@jdsalaw.com

12 Mr. Michael D. Daudt
13 DAUDT LAW PLLC
14 2200 Sixth Avenue, Suite 1250
15 Seattle, Washington 98121
16 mike@daudtlaw.com

17 Ms. Beth E. Terrell
18 Ms. Blythe H. Chandler
19 Terrell Marshall Law Group PLLC
20 936 N. 34th Street, Suite 300
21 Seattle, WA 98103-8869
22 bterrell@terrellmarshall.com
23 bchandler@terrellmarshall.com

24 I certify under penalty of perjury under the laws of the United States of America that the
25 foregoing is true and correct, to the best of my knowledge.

DATED this 27th day of April, 2018 at Seattle, Washington.

LEE SMART, P.S., INC.

By: /s/ Pamela J. DeVet
Pamela J. DeVet, WSBA No. 32882
Of Attorneys for Defendant
Safeguard Properties Management, LLC

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Lee Smart, P.S., Inc.
701 Pike Street, Suite 1800
Seattle, WA 98101
206-624-7990
pjd@leesmart.com