

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

L-3 COMMUNICATIONS SECURITY
AND DETECTION SYSTEMS
CORPORATION DELAWARE,

Plaintiff,

v.

AMERICAN SCIENCE &
ENGINEERING, INC.,

Defendant.

CIVIL ACTION NO. 04-10339-RWZ

**ASSENTED TO MOTION FOR LEAVE TO FILE DOCUMENTS UNDER
SEAL (IMPOUNDMENT UNDER L.R. 7.2(a))**

Plaintiff, L-3 Communications Security and Detection Systems Corporation Delaware ("L-3"), moves for leave to file under seal the Declaration of Robert M. Abrahamsen in Opposition to AS&E's Motion for Partial Summary Judgment on L-3's Inequitable Conduct Defense, which includes as its sole attachment a contract between American Science & Engineering, Inc. ("AS&E") and the government for a mobile CargoSearch system, designated as contract no. DAAB10-95-C-0001. Because of their confidential nature, these documents are being delivered to the Court by hand in a sealed envelope concurrently with the electronic filing of this motion.

L-3 is making this motion in accordance with a stipulation between the parties concerning the use of documents designated "Highly Confidential." In accordance with this agreement, AS&E has designated the contract as Highly Confidential. L-3's counsel consulted with AS&E's counsel concerning the filing of a copy of the contract, and AS&E's counsel requested that the contract be filed under seal.

In accordance with Local Rule 7.2(a), L-3 states that the material should be impounded until further order of the Court, and suggests that the material be destroyed following the termination of this lawsuit, including any appeals.

In the event the Court does not permit these materials to be impounded, L-3 moves for a determination that they may be filed without impoundment.

L-3 COMMUNICATIONS SECURITY
AND DETECTION SYSTEMS
CORPORATION DELAWARE,

By its attorneys,

Date: January 19, 2005

/s/ James J. Foster
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LOCAL RULE 7.1 CERTIFICATION

The undersigned certifies that counsel for L-3 conferred with AS&E's counsel concerning this motion and that AS&E's counsel assented to its filing.

/s/ Robert M. Abrahamsen