

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 UNDER SEAL
THE APPENDIX OF EXHIBITS IN SUPPORT OF AS&E’S OPPOSITION
TO L-3’S MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to Local Rule 7.2, defendant American Science & Engineering, Inc. (“AS&E”) moves for an order granting leave to file under seal AS&E’s Appendix of Exhibits In Support of AS&E’s Opposition to L-3’s Motion for Partial Summary Judgment That Certain Claims of U.S. Patent No. 5,903,623 Are Invalid Under 35 U.S.C. 102(b)(1) (“AS&E’s Appendix of Exhibits”) .

As grounds for this motion, AS&E states that certain documents contained in AS&E’s Appendix of Exhibits have been designated HIGHLY-CONFIDENTIAL in accordance with a stipulation between the parties concerning the designation and use of materials in this litigation. Impound shall continue pursuant to Local Rule 7.2.

CONCLUSION

For the foregoing reasons, AS&E respectfully requests that this Court grant it leave to file AS&E’s Appendix of Exhibits under seal.

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I hereby certify that counsel for the parties have conferred in a good faith effort to resolve or narrow the issues raised in this motion pursuant to Local Rule 7.1(a)(2), and that counsel for L-3 has assented to the filing of this motion.

/s/ John F. Ward
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