

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

**MOTION TO COMPEL PRODUCTION OF DOCUMENTS BY
BROMBERG & SUNSTEIN LLC**

Plaintiff, L-3 Communications Security and Detection Systems Corporation Delaware ("L-3"), moves to compel the production of certain documents by non-party law firm Bromberg & Sunstein LLC ("B&S"). In particular, L-3 seeks the production of the documents requested in item numbers 8-14 of a subpoena served on B&S (Ex. E to L-3's Memorandum), as well as document numbers 10, 29, 52, 53, 58, 59, 66, 72, 76-78, 80, 92, 138 and 139, identified in privilege logs produced by B&S (Exs. D & I to L-3's Memorandum), because B&S has made an insufficient showing that such documents are immune from discovery. In the alternative, L-3 requests that the Court perform an *in camera* inspection of such documents to determine whether B&S's assertion of privilege or work product immunity was proper.

Respectfully submitted,

L-3 COMMUNICATIONS SECURITY AND
DETECTION SYSTEMS CORPORATION
DELAWARE

Dated: August 3, 2005

/s/ James J. Foster
James J. Foster, BBO #553285
Michael A. Albert, BBO #558566
Robert M. Abrahamsen, BBO #636635
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LOCAL RULES 7.1 AND 37.1 CERTIFICATE

I have conferred and have attempted in good faith to resolve the issue set forth above and further discussed in the accompanying memorandum of law. The provisions of Local Rule 37.1 have been complied with.

/s/ Robert M. Abrahamsen