

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 its Memorandum in Support of its Motion for Summary Judgment, which quotes from a deposition transcript which AS&E has marked as HIGHLY CONFIDENTIAL, its Local Rule 56.1 Statement of Facts in Support of Its Motion for Summary Judgment, which also quotes from a deposition transcript which AS&E has marked as HIGHLY CONFIDENTIAL, and the Declaration of Adam J. Kessel in Support of L-3’s Motion for Summary Judgment, which includes excerpts from a deposition transcript which AS&E has marked as HIGHLY CONFIDENTIAL in accordance with a stipulation between the parties concerning the designation and use of materials in this litigation. Because of its confidential nature, this document is being delivered to the Court by hand in a sealed envelope concurrently with the electronic filing of this motion.

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

Respectfully submitted,

L-3 COMMUNICATIONS SECURITY
AND DETECTION SYSTEMS, INC.,

By its attorneys,

November 16, 2005

/s/ James J. Foster
James J. Foster, BBO # 553285
Michael A. Albert, BBO # 558566
Robert M. Abrahamsen, BBO # 636635
Adam J. Kessel, BBO # 661211
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LOCAL RULE 7.1 CERTIFICATE

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
Robert M. Abrahamsen