

JOHN W. HUBER, United States Attorney (#7226)
JOHN K. MANGUM, Assistant United States Attorney (#2072)
111 South Main Street, Ste. 1800
Salt Lake City, Utah 84111
Telephone: (801) 524-5682
Email: john.mangum@usdoj.gov

ERIN HEALY GALLAGHER, *pro hac vice*
DC Bar No. 985670, erin.healygallagher@usdoj.gov
ERIN R. HINES, *pro hac vice*
FL Bar No. 44175, erin.r.hines@usdoj.gov
CHRISTOPHER R. MORAN, *pro hac vice*
NY Bar No. 5033832, christopher.r.moran@usdoj.gov
Trial Attorneys, Tax Division
U.S. Department of Justice
P.O. Box 7238
Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 353-2452

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF UTAH, CENTRAL DIVISION

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff,</p> <p>vs.</p> <p>RAPOWER-3, LLC, INTERNATIONAL AUTOMATED SYSTEMS, INC., LTB1, LLC, R. GREGORY SHEPARD, NELDON JOHNSON, and ROGER FREEBORN,</p> <p>Defendants.</p>	<p>Civil No. 2:15-cv-00828 DN</p> <p>UNITED STATES' MOTION FOR LEAVE TO FILE PL. EXS. 742-A & 742-B UNDER SEAL</p> <p>Judge David Nuffer Magistrate Judge Evelyn J. Furse</p>
---	--

Pursuant to DUCivR 5-3, the United States moves the Court for leave to file Pl. Exs.
742-A & 742-B under seal.

On March 9, 2018, the United States filed its Memorandum in Opposition to Defendants' "Objection to Plaintiff's Pretrial Witness List and Request to Strike."¹ Our Opposition cited to Pl. Exs. 742-A & 742-B, which are lists of the defendants' customers and the lenses each customer purchased.² We redacted Pl. Exs. 742-A & 742-B because they are summaries of the same information that the Court ordered sealed.³ However, the Court may need to view unredacted versions of these exhibits to resolve the request to strike, so we request leave to file them under seal.

We will also move to unseal these documents at the upcoming pretrial conference on March 19, 2018.

WHEREFORE, the United States requests leave to file Pl. Exs. 742-A & 742-B under seal.

¹ ECF Doc. No. 329.

² ECF Doc. No. 329-1 & ECF Doc. No. 329-2.

³ See ECF Doc. No. 246; ECF Doc. No. 247, p. 13. At the defendants' request, the Court ordered this information sealed because it "is a number of individuals' names" and if the document were publically available, it could "potentially have detriment to the individuals."

Dated: March 9, 2017

Respectfully submitted,

/s/ Christopher R. Moran
CHRISTOPHER R. MORAN
New York Bar No. 5033832
Email: christopher.r.moran@usdoj.gov
Telephone: (202) 307-0834
ERIN HEALY GALLAGHER
DC Bar No. 985760
Email: erin.healygallagher@usdoj.gov
Telephone: (202) 353-2452
ERIN R. HINES
FL Bar No. 44175
Email: erin.r.hines@usdoj.gov
Telephone: (202) 514-6619
Trial Attorneys, Tax Division
U.S. Department of Justice
P.O. Box 7238
Ben Franklin Station
Washington, D.C. 20044
FAX: (202) 514-6770
**ATTORNEYS FOR THE
UNITED STATES**

CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2018, the foregoing document was electronically filed with the Clerk of the Court through the CM/ECF system, which sent notice of the electronic filing to all counsel of record.

/s/ Christopher R. Moran
CHRISTOPHER R. MORAN
Trial Attorney