

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

ANDREA ROSSI, et al.,)
)
 Plaintiffs,)
 v.)
)
THOMAS DARDEN, et al.,)
)
 Defendants.)
_____)

No. 16-cv-21199-CMA (JJO)

JOINT MOTION FOR LEAVE TO FILE UNDER TEMPORARY SEAL

Pursuant to Local Rule 5.4(b), Plaintiffs, Defendants, and Third-Party Defendants J.M. Products, Inc., Henry Johnson and James Bass (collectively, “the Parties”) respectfully request that the Court grant the Parties leave to file their respective motions for summary judgment under a *two-week, temporary seal*. In support, the Parties state as follows:

The Parties have been under very tight deadlines in this matter to complete discovery, and are still in the process of resolving some discovery disputes. At the same time, they are working on filing their motions due this week. As such, it would be extremely difficult for the Parties also to meet and confer adequately about the specific items accompanying their motions for summary judgment that should be sealed for the long term. Temporarily sealing the motions and their exhibits for fourteen (14) days would allow the Parties sufficient time (a) to meet and confer in a meaningful manner about the specific items that should remain sealed versus those that would be made publicly available after the expiration of the temporary seal and (b) to prepare and file sealing motions as to the specific items they believe should remain sealed.

WHEREFORE, the Parties respectfully request that each motion for summary judgment and its supporting exhibits be sealed temporarily upon filing for a period of fourteen (14) days thereafter.

LOCAL RULE 7.1 CERTIFICATION

Counsel for Defendants has conferred with all parties or non-parties who may be affected by the relief sought in this motion in a good faith effort to resolve the issues raised herein. While counsel for Third-Party Defendants United States Quantum Leap, LLC and Fulvio Fabiani agreed to a prior version of this motion, counsel for Defendants was unable to obtain their approval prior to filing the current version.

Dated: March 20, 2017

Respectfully submitted,

/s/ Christopher R. J. Pace

Christopher R.J. Pace
cpace@jonesday.com
Florida Bar No. 721166
Christopher M. Lomax
clomax@jonesday.com
Florida Bar No. 56220
Erika S. Handelson
ehandelson@jonesday.com
Florida Bar No. 91133
Michael A. Maugans
Florida Bar No. 107531
mmaugans@jonesday.com
Christina T. Mastrucci
cmastrucci@jonesday.com
Florida Bar No. 113013
JONES DAY
600 Brickell Avenue
Suite 3300
Miami, FL 33131
Tel: 305-714-9700
Fax: 305-714-9799
Attorneys for Defendants/Counter-Plaintiffs

/s/ Brian W. Chaiken

John W. Annesser
jannesser@pbyalaw.com
Florida Bar No.
Brian W. Chaiken
bchaiken@pbyalaw.com
Florida Bar No.
D. Porpoise Evans
pevans@pbyalaw.com
Florida Bar No.
PERLMAN, BAJANDAS, YEVOLI &
ALBRIGHT, P.L.
283 Catalonia Avenue, Suite 200
Coral Gables, Florida 33134
Tel.: 305-377-0086
Fax: 305-377-0781
Attorneys for Plaintiffs/Counter-Defendants

/s/ Francisco Leon de la Barra

Fernando Arán
faran@acg-law.com
Florida Bar No.
Francisco León de la Barra
fleon@acg-law.com
Florida Bar No.
ARÁN, CORREA & GUARCH, P.A.
225 University Drive
Coral Gables, Florida 33143
Tel.: 305-665-3400
Fax: 305-665-2250
*Attorneys for Henry Johnson, J.M. Products, Inc.,
and James Bass*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 20, 2017, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all counsel or parties of record.

/s/Erika S. Handelson
Erika S. Handelson