

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARY K. JONES, Individually and on Behalf
of All Others Similarly Situated,

Plaintiff,

v.

PFIZER INC., et al.,

Defendants.

Civil Action No. 1:10-cv-03864-AKH

Hon. Alvin K. Hellerstein

**DEFENDANT FRANK D'AMELIO'S
NOTICE OF MOTION TO FILE EXHIBIT UNDER SEAL**

PLEASE TAKE NOTICE that Defendant Frank D'Amelio, by his counsel, will move the United States District Court for the Southern District of New York, on a date and at such time as may be designated by the Court, located in the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, for an order permitting Mr. D'Amelio to file under seal Exhibit KK-D to the Declaration of Richard M. Strassberg in Support of Defendant Frank D'Amelio's Motion for Summary Judgment. This document was produced in the above-captioned litigation by a third party, KPMG, and was designated by KPMG at the time of production as "Confidential" pursuant to the Stipulated Protective Order ("Protective Order"), approved by the Court on October 18, 2011 (Dkt. No. 93). Accordingly, pursuant to Paragraph 7 of the Protective Order, Frank D'Amelio respectfully requests leave to file Exhibit KK-D to the Strassberg Declaration under Seal.

Date: New York, New York
October 30, 2014

Respectfully submitted,

/s/ Richard M. Strassberg

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Counsel for Defendant Frank D'Amelio

CERTIFICATE OF SERVICE

I, Richard M. Strassberg, hereby certify that on October 30, 2014, a copy of the foregoing document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies shall be served by first class mail postage prepaid on all counsel of record who are not served through the CM/ECF system.

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