

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

FELD ENTERTAINMENT, INC.,)
)
Plaintiff,)
)
v.)
)
ANIMAL WELFARE INSTITUTE, et al.,)
)
Defendants.)
)

Civ. No. 1:07-cv-1532 (EGS/JMF)

DEFENDANT ANIMAL WELFARE INSTITUTE’S NOTICE OF FILING UNDER SEAL

Defendant Animal Welfare Institute (“AWI”), by counsel, respectfully provides notice that on August 8, 2013, it will file under seal the attachment to Exhibit B to AWI’s Memorandum of Points and Authorities in support of its Motion to Compel also filed on August 8, 2013.

Counsel for Plaintiff Feld Entertainment, Inc. (“Feld”) contends that the attachment to Exhibit B to AWI’s Memorandum of Points and Authorities in support of its Motion to Compel is subject to a protective order entered on September 25, 2007 in Case No. 03-2006-EGS/JMF D.D.C. (the “ESA Action”). There has been no protective order entered in this case. While AWI disagrees that the attachment to Exhibit B should be subject to the protective order entered in the ESA Action or any protective order entered in this case, out of an abundance of caution, AWI files the attachment to Exhibit B under seal. Copies of the attachment to Exhibit B will be served on Feld’s counsel on August 8, 2013.

Date: AUGUST 8, 2013

**Respectfully submitted,
ANIMAL WELFARE INSTITUTE**

By Counsel

_____/s/_____

Bernard J. DiMuro (D.C. Bar No. 393020)
Nina J. Ginsberg (D.C. Bar No. 251496)
Stephen L. Neal, Jr., Esq. (D.C. Bar No. 441405)

DIMUROGINSBERG, P.C.

1101 King Street, Suite 610

Alexandria, Virginia 22314

Telephone: (703) 684-4333

Facsimile: (703) 548-3181

Emails: bdimuro@dimuro.com;

nginsberg@dimuro.com; sneal@dimuro.com

Counsel for Defendant Animal Welfare Institute

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of August, 2013, I served the foregoing on the following in the manners stated below:

FILED PUBLICLY IN SEALED FORM VIA ECF TO:

ALL ECF-registered persons for this case, including Plaintiff's counsel.

FILED WITH THE CLERK OF COURT UNDER SEAL IN UNREDACTED FORM TO:

Clerk's Office
U.S.D.C. for the District of Columbia
E. Barrett Prettyman Courthouse
333 Constitution Ave., NW
Washington, DC 20001

SERVED VIA EMAIL UNDER SEAL IN UNREDACTED FORM TO:

John M. Simpson, Esq.
Joseph T. Small, Jr., Esq.
Richard C. Smith, Esq.
Michelle C. Pardo, Esq.
FULBRIGHT & JAWORSKI LLP
801 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2623
Phone: (202) 662-0200
Fax: (202) 662-4643
Emails: jsimpson@fulbright.com; jsmall@fulbright.com; rsmith@fulbright.com;
mpardo@fulbright.com

Counsel for Plaintiff Feld Entertainment, Inc.

COURTESY COPY TO CHAMBERS OF THE HONORABLE JUDGE JOHN M. FACCIOLA UNDER SEAL IN UNREDACTED FORM:

Chambers of the Honorable John M. Facciola
U.S.D.C. for the District of Columbia
E. Barrett Prettyman Courthouse
333 Constitution Ave., NW
Washington, DC 20001

_____/s/
Stephen L. Neal, Jr.