

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: FRESENIUS
GRANUFLO/NATURALYTE
DIALYSATE PRODUCTS
LIABILITY LITIGATION

MDL No. 1:13-md-2428-DPW

This Document Relates to:

Lastorka v FMCNA

**LASTORKA PLAINTIFF’S MOTION FOR LEAVE TO FILE UNDER SEAL
OPPOSITIONS TO DEFENDANT’S CASE-SPECIFIC MOTIONS *IN LIMINE* AND
PRE-TRIAL BRIEFING MATERIALS**

Counsel for the Plaintiff in the bellwether trial case *Lastorka v FMCNA*, by the below-signed counsel, respectfully moves this Court, with the assent of counsel for the FMCNA Defendants, for leave to file under seal all soon-to-be-filed Objections to Defendant’s Motions *in Limine* (hereafter the “*Lastorka* Plaintiff’s Objections”). Plaintiff also requests leave to file certain pre-trial briefing materials (including deposition designations) under seal.

The *Lastorka* Plaintiff’s Objections to Defendant’s Motions *in Limine*, as well as Plaintiffs’ pretrial briefing materials (including deposition designations) will include or reference widely throughout them, copies of additional documents and/or excerpts from documents, as well as depositions, that Defendants have identified as “CONFIDENTIAL” pursuant to the terms of Case Management Order No. 5 (“CMO No. 5”), entered on November 15, 2013. Paragraph 29 of CMO No. 5 mandates that any document or pleading containing material such as that referenced above be filed under seal pursuant to Local Rule 7.2. Plaintiffs hereby seek to comply with the terms of the Protective Order.

WHEREFORE, Plaintiffs respectfully request that this Court grant them leave to file the Lastorka Plaintiff's Objections to Defendant's Motions *in Limine*, and Plaintiffs' pre-trial briefing materials, under seal.

Dated: January 8, 2016

Respectfully Submitted,

/s/ Christopher A. Seeger
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MEET AND CONFER CERTIFICATION

I hereby certify that the undersigned met and conferred with counsel for the Fresenius Medical Care North America Defendants in an effort to narrow or resolve the issues herein.

/s/Christopher A. Seeger
Christopher A. Seeger, Esq.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served via the Court's ECF system on counsel of record for the Fresenius Defendants as follows on January 8, 2016:

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