

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____ )	
IN RE NEURONTIN MARKETING, SALES )	MDL Docket No. 1629
PRACTICES, AND PRODUCTS LIABILITY )	
LITIGATION )	
_____ )	Master File No. 04-10981
THIS DOCUMENT RELATES TO: )	
)	
ALL ACTIONS )	Judge Patti B. Saris
)	
_____ )	

**MOTION TO FILE DECLARATIONS IN SUPPORT OF PLAINTIFFS’ MOTION FOR CLASS CERTIFICATION UNDER SEAL**

The Class Plaintiffs respectfully submit this motion to file, under seal, the (1) Expert Declaration of Raymond S. Hartman In Support of Plaintiffs’ Motion for Class Certification; and (2) Expert Declaration of Meredith B. Rosenthal In Support of Plaintiffs’ Motion for Class Certification, copies of which are attached hereto as Exhibit A and B respectively. As grounds for filing these documents under seal, the Plaintiffs state the following:

1. Pursuant to the Stipulated Protective Order entered in this case by the Court on or about January 10, 2005, “all documents and materials filed with the Court containing or reflecting the contents of Confidential Information shall be filed in sealed envelopes...” See Exhibit A, Stipulated Protective Order at Section 3 (f).

2. The Plaintiffs are filing the two documents, which discuss documents that have been designated by the Defendants as Confidential Information and are therefore subject to the terms of the Stipulated Protective Order.

3. By submitting this Motion, the Plaintiffs are not taking the position that the

Defendants' designations of confidentiality with respect to the documents being filed under seal are in fact proper and the Plaintiffs do not waive their right to challenge those designations in accordance with Section 8 of the Stipulated Protective Order.

WHEREFORE, in order to comply with the terms of the attached Stipulated Protective Order, the Plaintiffs hereby request that they be permitted to file under seal the (1) Expert Declaration of Raymond S. Hartman In Support of Plaintiffs' Motion for Class Certification; and (2) Expert Declaration of Meredith B. Rosenthal In Support of Plaintiffs' Motion for Class Certification .

Dated: August 8, 2005

Respectfully submitted,

**For the Class Plaintiffs:**

/s/Thomas M. Sobol

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**Attorneys for Plaintiffs and the Class**

**CERTIFICATE OF SERVICE**

I hereby certify that I, Edward Notargiacomo, an attorney, caused a true and correct copy of the foregoing documents to be sent to counsel of record via hand delivery or overnight mail on August 8, 2005.

By: /s/Edward Notargiacomo  
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# EXHIBIT A

FILED UNDER SEAL

# EXHIBIT B

FILED UNDER SEAL