# UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

Plaintiff

v. CASE NO.: 1:12-CV-01230-RC

UNITED TECHNOLOGIES CORPORATION

and

GOODRICH CORPORATION

Defendants

#### UNOPPOSED MOTION FOR LEAVE TO FILE PUBLIC COMMENTS UNDER SEAL

Pursuant to LCvR 5.1(j)(1), the United States respectfully submits this motion for leave to file the public comments regarding the Proposed Final Judgment in this case under seal. The United States further moves for leave to file a redacted version of the public comments, which is attached to this motion, to remain on the public docket. The redacted version will also be published in the *Federal Register* and on the website of the United States Department of Justice.<sup>1</sup>

The unredacted version of the comments was filed with the court on February 25, 2013.

Subsequently, counsel for defendants United Technologies Corporation and Goodrich

Corporation represented that certain attachments to one of the public comments contain materials that the defendants deem confidential and that therefore should be filed under seal.<sup>2</sup> The United

<sup>&</sup>lt;sup>1</sup> Concurrently with this motion, the United States has filed a motion to excuse *Federal Register* publication of certain attachments to one of the public comments.

<sup>&</sup>lt;sup>2</sup> On February 26, 2013, after the United States notified the clerk of the court of the defendants' concerns, the comments were temporarily removed from public availability pending a review to determine if they contained

## Case 1:12-cv-01230-RC Document 34 Filed 03/21/13 Page 2 of 3

States has no objection to having such materials placed under seal with a redacted version available to the public.

Pursuant to LCvR 7(m), counsel for the United States has discussed this Motion with counsel for the Defendants, who have consented to the motion.

Dated: March 21, 2013

Respectfully submitted FOR PLAINTIFF UNITED STATES:

KEVIN C. QUIN

Attorney

U.S. Department of Justice

**Antitrust Division** 

450 Fifth Street, N.W., Suite 4000

Washington, D.C. 20530 Telephone: (202) 307-0922

Fax: (202) 307-6283

Email: kevin.quin@usdoj.gov

### **CERTIFICATE OF SERVICE**

I, Kevin C. Quin, hereby certify that on March 21, 2013, I caused a copy of the Foregoing UNOPPOSED MOTION FOR LEAVE TO FILE PUBLIC COMMENTS UNDER SEAL, PROPOSED ORDER, and REDACTED COMMENTS to be filed in this matter with the Clerk of Court and to be served on the following counsel of record for Defendants United Technologies Corporation and Goodrich Corporation and the Monitoring Trustee:

## **Counsel for United Technologies Corporation:**

Michael H. Byowitz Wachtell, Lipton, Rosen & Katz 51 West 52nd Street New York, NY 10019

Wm. Randolph Smith Robert A. Lipstein Crowell & Moring LLP 1001 Pennsylvania Avenue, N.W. Washington, D.C. 20004

#### **Counsel for Goodrich Corporation**

Tom D. Smith, Esq. Jones Day 51 Louisiana Avenue, N.W. Washington, D.C. 20001-2113

Counsel for Monitoring Trustee ING Financial Markets LLC

Stanley E. Woodward, Jr. Akin Gump Strauss Hauer & Feld, LLP 1333 New Hampshire Avenue, NW Washington, DC 20036

Kevin C. Quin (D.C. Bar #415268)
United States Department of Justice
Antitrust Division, Litigation II Section
450 Fifth Street, N.W., Suite 8700
Washington, D.C. 20530
kevin.quin@usdoj.gov