

IN THE UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

EL PASO DIVISION

FILED
2008 SEP 10 PM 3:51
WESTERN DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____
DEPUTY

UNITED STATES OF AMERICA)

Criminal No.: EP-07-CR-2371

v.)

Violation: 15 U.S.C. § 1

ERIC EDWARD MIJARES,)

Filed:

Defendant.)

GOVERNMENT'S MOTION TO UNSEAL INFORMATION

TO THE HONORABLE JUDGE OF SAID COURT:

The United States of America, by and through the United States Department of Justice, Antitrust Division, files this Motion to Unseal the information in this cause and would show the Court as follows:

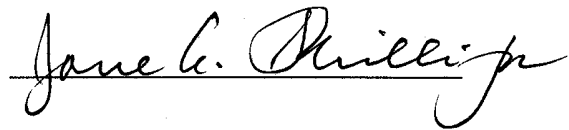
On September 26, 2007, the Court, upon the Motion of the United States in the above-styled and -numbered cause, issued an order sealing the information, plea agreement and related documents for cause shown. The Order required that the information and related documents be unsealed only upon order of the Court.

On September 10, 2008, the Grand Jury returned an indictment against the co-conspirators of the defendant listed above, and, as a result, the Government has successfully concluded its investigation of others involved in the charged conduct. Accordingly, the basis for sealing the aforementioned documents no longer exists. In addition, the Government will be required to produce some of the sealed documents to the indicted defendants in satisfaction of its discovery obligations in

the ensuing prosecution.

For these reasons, the United States respectfully requests that this Court order that the information, plea agreement and related documents be unsealed, along with the original Motion to Seal and the Court's Order granting that Motion.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jane E. Phillips". The signature is written in black ink and is positioned above a horizontal line.

Jane E. Phillips
Attorney
Iowa ICIS PIN AT0006246
United States Department of Justice
Antitrust Division
Dallas Field Office
1700 Pacific Avenue, Suite 3000
Dallas, Texas 75201
(214) 661-8600

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

UNITED STATES OF AMERICA,)
)
v.) CRIMINAL NO. EP-07-CR-2371
)
ERIC EDWARD MIJARES,)
)
Defendant)

ORDER SEALING INFORMATION

On this date came on to be considered the Motion of the United States in the above-styled and -numbered cause to unseal the information. It appearing to the Court that the Motion is well taken and should be granted,

IT IS HEREBY ORDERED that the information, plea agreement and related documents in this cause be unsealed.

IT IS FURTHER ORDERED that the Motion of the United States and this Order shall be unsealed by the Clerk.

SIGNED and ENTERED this ____ day of _____, 2008.

UNITED STATES MAGISTRATE JUDGE