

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

<b>MALIBU MEDIA, LLC</b>	:	Case No.: 1:12-cv-01117-WTL-MJD
	:	
<b>Plaintiff,</b>	:	
	:	
v.	:	
	:	
<b>MICHAEL HARRISON,</b>	:	
	:	
<b>Defendant.</b>	:	

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**DEFENDANT’S MOTION FOR LEAVE TO FILE ITS BRIEF IN RESPONSE TO  
PLAINTIFF’S MOTION SUMMARY JUDGMENT UNDER SEAL**

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Defendant, Michael Harrison, (“Defendant”), hereby moves for entry of an order granting him leave to file his Brief in Response to Plaintiff’s Motion for Summary Judgment (the “Brief in Response”) under seal and in support states:

1. Pursuant to Southern District of Indiana Local Rule 5-11, Defendant is filing this Motion simultaneously with his Brief in Response to Plaintiff’s Motion for Summary Judgment.
2. Defendant’s Brief in Response relies on confidential documents and deposition testimony. This information establishes essential facts in this case and is pertinent and necessary to the Brief in Response to Plaintiff’s Motion for Summary Judgment.
3. Comcast has designated both the testimony and corresponding exhibits confidential because they contain sensitive and proprietary confidential business information relating to Comcast’s record keeping and other internal processes. The testimony and documents also contain confidential information pertaining to Defendant’s Internet account.
4. Defendant’s Brief in Response to Plaintiff’s Motion for Summary Judgment further includes certain documents and portions of testimony which are designated confidential,

and contains only the exact specific documents and portions of the deposition necessary to support his Brief in Response.

5. In order to meet its deadline to file its Brief in Response to Plaintiff's Motion for Summary Judgment pursuant to CM/ECF 271, and in an abundance of caution, Defendant respectfully requests the Court allow Defendant to file his Brief in Response to Plaintiff's Motion for Summary Judgment under seal.

6. Good cause exists to grant this motion.

**WHEREFORE**, Defendant Michael Harrison respectfully moves this Court to enter an Order permitting Defendant to file his Brief in Response to Plaintiff's Motion for Summary Judgment under seal. A proposed order is attached hereto.

Respectfully Submitted,

/s/ Gabriel J. Quearry

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*Attorney for Defendant*

*Michael Harrison*

### **CERTIFICATE OF SERVICE**

I hereby certify that on December 26, 2014, a copy of the foregoing document was filed electronically. Notice of this filing will be sent to the parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Gabriel J. Quearry

