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FILED
CLERK, U.S. DISTRICT COURT
JAN - 8 2013
CENTRAL DISTRICT OF CALIFORNIA
BY

By Fax

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

23 JOYCE WALKER, KIM BRUCE
24 HOWLETT, and MURIEL SPOONER, on
25 behalf of themselves and all others
26 similarly situated,

27 Plaintiffs,

28 vs.

LIFE INSURANCE COMPANY OF THE
SOUTHWEST, a Texas corporation, and
DOES 1-50

Defendant.

CLASS ACTION

CASE NO.: CV 10-9198 JVS (RNBx)

Formerly Case No.: 3:10-cv -04852 JSW
from Northern District of California

APPLICATION TO FILE UNDER
SEAL EXHIBIT A SUBMITTED WITH
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION OF NEW AND
REMAINING CLAIMS RELATING
TO CURRENT BASIS POLICY
VALUES

Judge: Hon. James V. Selna
Date: February 4, 2013
Time: 1:30 p.m.
Courtroom: 10C

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U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

ORIGINAL

1 PLEASE TAKE NOTICE THAT pursuant to Civil Local Rule 79-5.1 and
2 the Court's Second Amended Protective Order in this action, Dkt. 102 at ¶ 10
3 (Sept. 26, 2011), Defendant Life Insurance Company of the Southwest ("LSW")
4 submits this application to the Court for an Order sealing Exhibit A to the
5 Declaration of Brian P. Brosnahan in Support of Plaintiffs' Motion for Class
6 Certification of New and Remaining Claims Relating to Current Basis Policy
7 Values on the grounds that it contains confidential information protected by the
8 Protective Order.

9 Under Civil Local Rule 79-5.1, a party can request that documents be filed
10 under seal by submitting a written application along with the documents sought to
11 be filed under seal. The Court's Second Amended Protective Order (the
12 "Protective Order") requires that an application to seal be filed whenever any
13 papers are filed containing information and/or documents designated as
14 "CONFIDENTIAL" or "CONFIDENTIAL INFORMATION – PROTECTIVE
15 ORDER." Dkt. 102 at ¶10.

16 The specific grounds that apply are set forth below:

17 **Brosnahan Declaration, Ex. A**

18 Exhibit A to the Declaration of Brian P. Brosnahan in Support of Plaintiffs'
19 Motion for Class Certification of New and Remaining Claims Relating to Current
20 Basis Policy Values is an internal LSW memorandum. This document was
21 designated as "CONFIDENTIAL." The memorandum discusses the internal
22 pricing strategies used by LSW in developing product guarantees, including
23 profitability expectations and internal forecasting. This is confidential, non-public
24 commercial information that, if disclosed to the general public or competitors of
25 LSW could reasonably and in good faith be expected to result in prejudice or harm.

26 For the foregoing reasons, LSW respectfully requests that the Court grant
27 LSW's application to the Court for an Order sealing Exhibit A to the Declaration
28 of Brian P. Brosnahan in Support of Plaintiffs' Motion for Class Certification of
New and Remaining Claims Relating to Current Basis Policy Values.

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Dated: January 4, 2013

Respectfully submitted,

WILMER CUTLER PICKERING HALE
AND DORR LLP

By: 
Joel A. Fleming

Attorneys for Defendant
LIFE INSURANCE COMPANY OF THE
SOUTHWEST