

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

In re: Bank of America Home Affordable
Modification Program (HAMP) Contract
Litigation

Civil Action No. 1:10-md-02193-RWZ

**DEFENDANT’S MOTION FOR A PROTECTIVE
ORDER REGARDING CONFIDENTIAL INFORMATION**

Pursuant to Federal Rule of Civil Procedure 26(c) and the Stipulated Protective Order (“Protective Order”) [Dkt. No. 56] entered in this case on May 16, 2011, defendant Bank of America, N.A. (“BANA”), for itself and as successor by merger to BAC Home Loans Servicing, LP, hereby respectfully moves the Court for a further protective order affirming its designation of portions of the deposition testimony of BANA employees Tawnya Schoolitz and Jinja Martin, and Urban Lending Solutions (“Urban”) employee Christopher Orris as confidential (the “Designated Testimony”).¹ The Designated Testimony contains confidential commercial information of BANA and Urban, and its public disclosure would subject BANA to annoyance, embarrassment, oppression, or undue burden or expense.

In support of this Motion, BANA relies on its contemporaneously submitted Memorandum in support, as well as the Declarations of Seth M. Goldstein, Mark L. McElroy, and Carole Richter, and the supporting exhibits thereto (to be filed under seal). Defendant further states that the parties have attempted to resolve the dispute over the Designated Testimony in accordance with the Protective Order and Local Rule 7.1, but were unable to reach an agreement.

¹ The specific portions of each deposition transcript designated as confidential are listed in Exhibit A to BANA’s Memorandum in Support of Its Motion For a Protective Order Regarding Confidential Information.

WHEREFORE, BANA respectfully requests that the Court grant this Motion and affirm the confidentiality designations of the Designated Testimony.

Dated: August 24, 2012

Respectfully submitted,

Bank of America, N.A., for itself and as successor by merger to BAC Home Loan Servicing, L.P.,

By its attorneys,

/s/ James W. McGarry
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LOCAL RULE 7.1 CERTIFICATION AND CERTIFICATE OF SERVICE

I hereby certify that the parties have attempted to resolve this dispute in accordance with Local Rule 7.1, but were unable to reach an agreement. Plaintiffs have, by letter dated August 1, 2012, consented to the filing of this Motion.

I hereby certify that *Defendant's Motion For a Protective Order Regarding Confidential Information*, will be sent electronically to Lead Plaintiffs' Counsel on August 24, 2012.

/s/ James W. McGarry