

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

DENNIS MONTGOMERY and the  
MONTGOMERY FAMILY TRUST,

Plaintiffs,

v.

ETREPPID TECHNOLOGIES, LLC;  
WARREN TREPP; and the UNITED  
STATES DEPARTMENT OF DEFENSE,

Defendants.

AND ALL RELATED MATTERS.

3:06-CV-00056-PMP-VPC  
BASE FILE

3:06-CV-00145-PMP-VPC

ORDER

Presently before the Court are Dennis Montgomery and the Montgomery Family Trust's ("Montgomery") Request for Ruling on How to Handle Sealed Case in Oppositions (3:06-CV-00056-PMP-VPC, Doc. #73), Sealed Ex-Parte Notice and Motion Re: Instructions on How to Treat/File Sensitive Material (3:06-CV-00056-PMP-VPC, Doc. #152), and Unsealed Notice and Motion Re: Instructions on How to Treat/File Sensitive Material (3:06-CV-00056-PMP-VPC, Doc. #153). Montgomery requests instructions on how to file sealed information from the related search warrant case as well as classified or sensitive information in these consolidated proceedings. The Court will deny the motions as moot. The parties may continue to file unclassified but privileged materials under seal. As for classified information, the Court indicated in its April 2, 2007 Order (Doc. #147 at 5) the proper protocol for notifying the Court that a party finds it necessary to file classified

1 information for the Court's review.

2 IT IS THEREFORE ORDERED that Montgomery's Request for Ruling on How  
3 to Handle Sealed Case in Oppositions (3:06-CV-00056-PMP-VPC, Doc. #73) is hereby  
4 DENIED as moot.

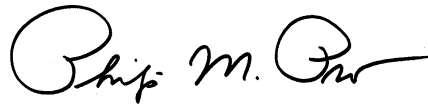
5 IT IS FURTHER ORDERED that Montgomery's Sealed Ex-Parte Notice and  
6 Motion Re: Instructions on How to Treat/File Sensitive Material (3:06-CV-00056-PMP-  
7 VPC, Doc. #152) is hereby DENIED as moot.

8 IT IS FURTHER ORDERED that Montgomery's Unsealed Notice and Motion  
9 Re: Instructions on How to Treat/File Sensitive Material (3:06-CV-00056-PMP-VPC, Doc.  
10 #153) is hereby DENIED as moot.

11

12 DATED: May 22, 2007.

13



14

---

PHILIP M. PRO  
United States District Judge

15

16

17

18

19

20

21

22

23

24

25

26