

SEP 13 2004

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Attorneys for Defendants

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF IDAHO**

SHERRY R. HUBER,	)	Case No. CIV03-527-S-BLW
	)	
Plaintiff,	)	
	)	
vs.	)	<b>DEFENDANTS' MOTION</b>
	)	<b>TO SEAL DOCUMENTS</b>
IDA-WEST ENERGY COMPANY, and	)	
IDAHO POWER COMPANY,	)	<b>FILED UNDER SEAL</b>
	)	
Defendants.	)	
_____	)	

Pursuant to District of Idaho Local Civil Rule 5.3(a), Ida-West Energy Company and Idaho Power Company , by and through its counsel, file this ex parte motion and respectfully request that the Court file the following pleadings under seal because they contain confidential information:

**DEFENDANTS' MOTION TO SEAL DOCUMENTS, P. 1**

*file*

- 1) Defendants' Memorandum in Opposition to Plaintiff's Motion to Compel;
- 2) Affidavit of Robert Stahman in Opposition to Plaintiff's Motion to Compel;
- 3) Affidavit of Elaine H. Lee in Opposition to Plaintiff's Motion to Compel and attached documents;
- 4) Defendants' Motion for Partial Summary Judgment
- 5) Defendants' Memorandum in Support of Motion for Partial Summary Judgment;
- 6) Defendants Statement of Material Facts;
- 7) Defendant's Motion to File Documents Under Seal;
- 8) Defendant's Memorandum in Support of Motion to File Documents Under Seal.

In addition, Defendants request that the following documents previously filed with the Court by Plaintiff on August 23, 2004, be placed under seal as well:

- 1) Plaintiff's Motion to Compel.
- 2) Plaintiff's Memorandum in Support of Motion to Compel
- 3) Affidavit of John C. Lynn in Support of Motion to Compel, and attached documentation.
- 4) Plaintiff's Rule 37 Certification.

DATED this 13<sup>th</sup> day of September, 2003.

GJORDING & FOUSER, PLLC

  
TRUDY HANSON FOUSER

Tamsen L. Leachman  
HALL, FARLEY, OBERRECHT  
& BLANTON, P.A.

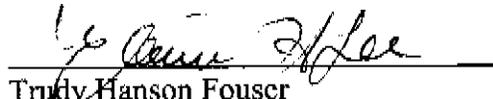
Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I hereby certify that on the 13<sup>th</sup> day of September, 2004, a true and correct copy of the foregoing was served upon the following individual(s) by the means indicated:

John C. Lynn  
LYNN, SCOTT & HACKNEY, P.L.L.C.  
500 West Bannock  
Boise, ID 83702

- U.S. mail, postage prepaid
- express mail
- hand delivery
- facsimile

*for*   
Trudy Hanson Fouser