

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

UNITED STATES OF AMERICA,

v.

AARON SWARTZ,

Defendant.

No. 11-CR-10260-NMG

**DEFENDANT'S MOTION FOR LEAVE TO FILE REPLY BRIEFING AND EXHIBIT  
UNDER SEAL**

Pursuant to Local Rule 7.2, Defendant Aaron Swartz, through undersigned counsel, hereby moves for leave to file under seal: (1) Defendant's Reply in Support of Motions to Suppress and Motion to Dismiss Counts 1 and 2 of Superseding Indictment and (2) the accompanying exhibit to the Reply brief.

As grounds for this motion, Defendant states that the documents he seeks to file under seal include information concerning grand jury testimony and covered by the Protective Order in this case (the "confidential material"). Defendant simultaneously will file a redacted version of the Reply brief, omitting the confidential material, via the CM/ECF system.

Pursuant to Local Rule 7.2, Defendant requests that the confidential material be impounded until further order of the Court.

Dated: December 3, 2012

Respectfully submitted,

*/s/ Elliot R. Peters*

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Elliot R. Peters (admitted *pro hac vice*)

Daniel Purcell (admitted *pro hac vice*)

Keker & Van Nest LLP

633 Battery Street

San Francisco, CA 94111

Tel.: (415) 391-5400

Fax: (415) 397-7188

Email: epeters@kvn.com

dpurcell@kvn.com

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Michael J. Pineault

Clements & Pineault, LLP

24 Federal Street

Boston, MA 02110

Tel.: (857) 445-0135

Fax: (857) 366-5404

Email: mpineault@clementspineault.com

Attorneys for Defendant AARON SWARTZ

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on December 3, 2012.

/s/ Elliot R. Peters

Elliot R. Peters