

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:

Reckitt Benckiser LLC, et al.

EPA Reg. Nos. 3282-3, 3282-4, 3282-9, 3282-15, 3282-66, 3282-74, 3282-81, 3282-85, 3282-86, 3282-87, and 3282-88; Application Nos. 3282-RNU and 3282-RNL

FIFRA Docket No. 661

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**JOINT MOTION FOR A PROTECTIVE ORDER ADDRESSING THE TREATMENT
OF CONFIDENTIAL BUSINESS INFORMATION**

The parties have conferred regarding the treatment of non-redacted documents that are produced during the course of this hearing under seal and asserted by the producing party to contain confidential business information ("CBI") in accordance with the Court's Prehearing Order dated February 10, 2014 ("Sealed Documents"). In an abundance of caution, and in order to ensure (1) that the parties are not interpreted to have waived any future claim of confidentiality with respect to Sealed Documents, and (2) that no party obtaining access to Sealed Documents will gain a competitive advantage as a result of the disclosure, the parties jointly request that the Administrative Law Judge issue a protective order adopting the following procedures regarding the production of Sealed Documents to other parties:

- 1) The protective order applies to all Sealed Documents produced during this action by any party. All Sealed Documents submitted by any party must be marked clearly to indicate that they contain CBI.
- 2) Only attorneys who are actively working on this action on behalf of a party, and support staff (including independent consultants and experts, paralegals, and clerical and administrative personnel) who are employed or supervised by attorneys who are actively working on this action and are assisting counsel with respect to this action, shall have access to Sealed Documents. Attorneys who are actively working on this action on behalf of a party and who receive Sealed Documents shall advise such support staff, prior to providing them access to protected material, of their obligations under this order.
- 3) Sealed Documents will be used only for the purposes of this case, including appeals thereof; Sealed Documents shall not be given, shown, made available, discussed, or otherwise conveyed in any form except as provided for in this order.

- 4) As provided for in the Practice Manual (and consistent with 40 CFR part 164), parts of the hearing that address information contained in Sealed Documents shall be closed to the public, and those parts of the record shall be protected from unauthorized disclosure.
- 5) Sixty days after the final disposition of this action (including any appeals if such appeals are filed) all Sealed Documents, including all electronically transmitted material and copies of such material shall be: (1) returned to the party that produced them; or (2) with the prior written agreement of the party that produced the Sealed Documents, destroyed and certified as destroyed to the party that produced them. Notwithstanding the provisions of this paragraph, the Environmental Protection Agency may retain any Sealed Documents in accordance with the Agency's regular document preservation procedures.
- 6) Any individual receiving a copy of a Sealed Document under this order shall take all reasonable precautions necessary to prevent disclosure of the Sealed Document. In addition to physically and electronically securing, safeguarding, and restricting access to Sealed Documents in one's possession, these precautions include, but are not limited to, sending and receiving Sealed Documents using physical and electronic methods that ensure proper treatment. Sealed Documents may be sent using electronic mail unless objected to by any party in this action. The confidentiality of Sealed Documents shall be maintained in perpetuity.

Jointly Submitted: March 28, 2014

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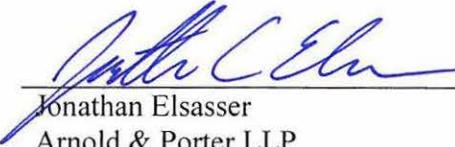
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CERTIFICATE OF SERVICE

I certify that the foregoing Joint Motion for a Protective Order Addressing the Treatment of Confidential Business Information dated March 28, 2014, was served at the addresses listed below in the manner indicated.



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