

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

GRAPHIC ARTS MUTUAL INSURANCE )  
COMPANY )

Plaintiff, )

v. )

INDIAN RIVER SCHOOL DISTRICT, )  
INDIAN RIVER SCHOOL BOARD, )  
HARVEY L. WALLS, MARK A ISAACS, )  
JOHN M. EVANS, RICHARD H. COHEE, )  
GREGORY A. HASTINGS, NINA LOU )  
BUNTING, CHARLES M. BIRELEY, )  
DONALD G. HATIER, REGINALD L. )  
HELMS, M. ELAINE McCABE, LOIS M. )  
HOBBS, AND EARL J. SAVAGE. )

Defendants. )

No.: \_\_\_\_\_

**PLAINTIFF'S MOTION FOR LEAVE TO FILE COMPLAINT UNDER SEAL**

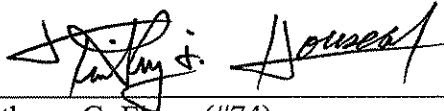
Plaintiff Graphic Arts Mutual Insurance Company ("Graphic Arts"), by and through its undersigned attorneys, respectfully moves pursuant to Federal Rule of Civil Procedure 5(e) and the Local Rules of Civil Practice and Procedure of the United States District Court for the District of Delaware, to file its Complaint against the above-listed Defendants under seal.

The reasons for Graphic Arts' Motion to file under seal is that its Complaint contains confidential settlement information from the underlying case. Since the above-listed Defendants have not yet been served with this Complaint, they have not had the opportunity to review its allegations and to meet and confer with Graphic Arts to discuss the redaction of any such confidential settlement information. In this regard, the attached proposed form of order

contemplates that Graphic Arts will file a public version of the Complaint within 5 business days of the filing of the Defendants' Answer or other responsive pleading pursuant to the Court's Administrative Procedures Governing Filing and Service by Electronic Means.

Respectfully submitted,

YOUNG CONAWAY STARGATT & TAYLOR, LLP



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Anthony G. Flynn (#74)  
Timothy Jay Houseal (#2880)  
Jennifer M. Kinkus (#4289)  
The Brandywine Building  
1000 West Street, 17<sup>th</sup> Floor  
Wilmington, DE 19801  
(302) 571-6682  
(302) 576-3300 (Facsimile)  
Attorneys for Plaintiff Graphic Arts Mutual Insurance  
Company

Of Counsel:

Edward J. Grass, Esquire  
Steven W. McNutt, Esquire  
Hunton & Williams LLP  
1751 Pinnacle Drive  
McLean, VA 22102

DATED: April 12, 2006

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FOR THE DISTRICT OF DELAWARE

GRAPHIC ARTS MUTUAL INSURANCE )  
COMPANY )

Plaintiff, )

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HELMS, M. ELAINE McCABE, LOIS M. )  
HOBBS, AND EARL J. SAVAGE. )

Defendants. )

No.: \_\_\_\_\_

**ORDER**

The Court having considered Plaintiff Graphic Arts Mutual Insurance Company's Motion For Leave to File Complaint Under Seal, IT IS ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2006, that the Motion shall be hereby GRANTED. Graphic Arts shall file a public version of the Complaint within five business days of the filing of Defendants' Answer or other responsive pleading as directed by the Court's Administrative Procedures Governing Filing and Service by Electronic Means.

\_\_\_\_\_  
Judge

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1.1**

I, Timothy Jay Houseal, Esquire hereby certify that counsel for Plaintiff Graphic Arts Mutual Insurance Company have not contacted opposing counsel with respect to Plaintiff's Motion for Leave to File Complaint Under Seal because the Defendants have not yet been served and their counsel has not been confirmed. As contemplated in the Proposed Form of Order, with respect to this Motion and the filing of a public version of the Complaint, Plaintiff's counsel will meet and confer with the Defendants' counsel once they have been identified.

A handwritten signature in black ink that reads "Timothy J. Houseal". The signature is written in a cursive style with a large initial "T" and "H".

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Timothy Jay Houseal (#2880)

**CERTIFICATE OF SERVICE**

I, Timothy Jay Houseal, Esquire, hereby certify that on this 12<sup>th</sup> day of April, 2006, the following Defendants were served with Plaintiff's Motion for Leave to File Complaint Under Seal by hand delivery at the following addresses:

**Harvey L. Walls  
301 James Street  
Georgetown, Delaware 19947**

**Mark A. Isaacs  
16043 Clemson Lane  
Georgetown, Delaware 19947**

**John M. Evans  
24359 Gravel Hill Road  
Georgetown, Delaware 19947**

**Richard H. Cohee  
4 Fairway Drive  
Georgetown, Delaware 19947-9458**

**Gregory A. Hastings  
4 Mill Lane  
Millsboro, Delaware 19966-1750**

**Nina Lou Bunting  
RR 1 Box 15A  
Dagsboro, Delaware 19939-9703**

**Charles M. Bireley  
RD 2 Box 163-A  
Dagsboro, Delaware 19939-9528**

**Donald G. Hatier  
RD 2 Box 114 Holts Landing Road  
Dagsboro, Delaware 19939**

**Reginald L. Helms  
20 Ruth Street  
Selbyville, Delaware 19975**

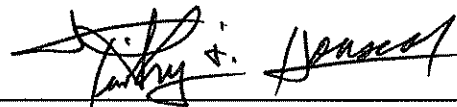
**M. Elaine McCabe**  
**Rt. 2, Box 107**  
**Selbyville, Delaware 19975**

**Lois M. Hobbs**  
**Indian River School District**  
**RD 2 Box 156**  
**Selbyville, Delaware 19975**

**Earl J. Savage**  
**Indian River School District**  
**RD 2 Box 156**  
**Selbyville, Delaware 19975**

**Indian River School District**  
**RD 2 Box 156**  
**Selbyville, Delaware 19975**

**Indian River School Board**  
**RD 2 Box 156**  
**Selbyville, Delaware 19975**

A handwritten signature in black ink, appearing to read "Timothy Jay Houseal", written over a horizontal line.

**Timothy Jay Houseal (#2880)**