

1 Douglas C. Foster CSBN# 205674  
2 LAW OFFICES OF DOUGLAS C. FOSTER  
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4 Attorney for Defendant  
5 Tony Havens

6 **IN THE UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF CALIFORNIA, FRESNO**

8 UNITED STATES OF AMERICA,

Case No.: 1:11-CR-00250-LJO

9 Plaintiff,

10 vs.

11 **NOTICE OF REQUEST AND  
12 REQUEST TO SEAL DOCUMENTS  
13 AND ORDER**

TONY HUY HAVENS  
Defendant.

14 **TO THE ABOVE ENTITLED COURT AND THE ASSISTANT UNITED  
15 STATES ATTORNEY FOR THE EASTERN DISTRICT OF  
16 CALIFORNIA:**

17 Defendant, Tony Huy Havens, by and through his attorney Douglas C. Foster,  
18 hereby requests that the Supplemental Declaration of Douglas C. Foster in Support of  
19 Mr. Foster's Motion to Withdraw as Counsel of Record (hereinafter "Supplemental  
Declaration") be filed under seal and that the United States Attorney not be served  
20 with a copy of the Supplemental Declaration.

21 This request is made pursuant to Local Rule 141(a) which states that documents  
22 can be sealed only by written order of the United States District Court. Under the Local  
23 Rule access to all documents filed under seal is restricted to the Court and authorized  
24 court personnel.

25 The basis for the request is that the Supplemental Declaration contains privileged  
information protected by the attorney-client privilege.

1 Accordingly, it is requested that the Supplemental Declaration be Sealed and that  
2 the United States Attorney not be served with a copy of the Supplemental Declaration.  
3

4 Respectfully submitted,  
5

6 Dated: April 22, 2015

7 /s/ Douglas C. Foster

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9  
10 DOUGLAS C. FOSTER  
11 Attorney for Tony Huy Havens

12 **ORDER**

13 For reasons set forth above, the defendant's request to have the Supplemental  
14 Declaration of Douglas C. Foster in Support of Mr. Foster's Motion to Withdraw as  
15 Counsel of Record be filed Under Seal is granted.

16 Service on the United States Attorney is not required.  
17

18 IT IS SO ORDERED.  
19

20 Dated: April 22, 2015

21 /s/ Lawrence J. O'Neill  
22 UNITED STATES DISTRICT JUDGE  
23  
24  
25