

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)**

BLUE FLAME MEDICAL LLC,

Plaintiff,

v.

CHAIN BRIDGE BANK, N.A.,  
JOHN J. BROUGH, and  
DAVID M. EVINGER,

Defendants.

**Civil Action No. 1:20-cv-00658 (LMB/IDD)**

CHAIN BRIDGE BANK, N.A.,

Third-Party Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Third-Party Defendant.

**JPMORGAN CHASE BANK, N.A.’S MEMORANDUM IN SUPPORT OF ITS MOTION  
TO FILE AUDIO RECORDING SUPPORTING MOTION FOR SUMMARY  
JUDGMENT UNDER PROVISIONAL SEAL**

Third-Party Defendant JPMorgan Chase Bank, N.A. (“JPMC”) submits this Memorandum in Support of JPMC’s Motion to File Audio Recording Supporting Motion for Summary Judgment Under Provisional Seal pursuant to Federal Rule of Civil Procedure 26, Local Civil Rule 5(C), this Court’s September 24, 2020 Order (Dkt. 37) (“Rule 16(b) Scheduling Order”), and the Amended Stipulated Confidentiality Agreement and Protective Order (Dkt. 68) (“Protective Order”). JPMC moves to file under provisional seal the following:

one audio recording of a call between Heather Schoeppe (Chain Bridge) and Joanna Williamson (Chain Bridge) ending on March 25, 2020 at 4:30 p.m. EDT, produced by Chain Bridge, bearing Bates number CBB00002797.

Pursuant to this Court's May 5, 2021 order (Dkt. 111), JPMC will submit this audio recording via CD. In accordance with Local Civil Rule 5(E), the CD will be securely sealed with the container clearly labeled "UNDER SEAL."

In support of this position, JPMC states the following. Paragraph 7 of the Protective Order obligates JPMC to file "any document or thing containing or embodying Confidential . . . Discovery Material . . . under seal[.]" Dkt. 68 ¶ 7. The audio recording contains or embodies material that Chain Bridge Bank, N.A. has designated "Confidential Discovery Material" under the terms of the Protective Order. JPMC takes no position on this designation. Pursuant to Paragraph 10(a) of the Rule 16(b) Scheduling Order, "Where a party moves to file material under seal because the opposing party has designated that material as confidential, the opposing party must file a response to the motion and a proposed order that meet the requirements of Local Civil Rule 5." Dkt. 37 ¶ 10(a).

JPMC is providing public notice of this request to provisionally seal the audio recording such that interested parties, as well as non-parties, will have an opportunity to object. Entry of that Notice and this Memorandum onto the Court's public docket will notify any interested individuals of the provisional sealing request.

For the foregoing reasons, JPMC respectfully requests that the Court grants its Motion to File Audio Recording Supporting Motion for Summary Judgment Under Provisional Seal.

Dated: May 6, 2021

Respectfully submitted,

**WILMER CUTLER PICKERING HALE  
AND DORR LLP**

/s/ Meredith K. Loretta

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**CERTIFICATE OF SERVICE**

I certify that on this 6th day of May, 2021, I electronically filed the foregoing using the Court's CM/ECF system, which will then send a notification of such filing to all counsel of record.

/s/ Meredith K. Loretta

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