

**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

CHAIN BRIDGE BANK, N.A.,

Third-Party Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Third-Party Defendant.

**THIRD-PARTY PLAINTIFF CHAIN BRIDGE BANK, N.A.'S
MEMORANDUM IN SUPPORT OF MOTION TO FILE UNDER SEAL**

Third-Party Plaintiff Chain Bridge Bank, N.A. (Chain Bridge) respectfully submits this memorandum in support of its motion to file a redacted version of its Reply in Support of Chain Bridge's Motion To Establish The Amount Of Indemnified Fees And Expenses To Be Awarded From Third-Party Defendant JPMorgan Chase Bank, N.A. (JPMC), and to maintain the unredacted version of Chain Bridge's Reply under permanent seal.

Chain Bridge's Reply discusses and quotes from billing records itemizing the fees and expenses incurred by Chain Bridge as a result of JPMC's wire cancellation. Chain Bridge previously moved for leave to seal the unredacted versions of its billing records, while filing versions with limited redactions on the public docket to protect certain time entries describing the

nature of the work performed by attorneys and experts in ways that reflect confidential information that is protected from disclosure by the attorney-client privilege or work-product protection. See Dkt. No. 187. The Court granted Chain Bridge's motion to seal. See Dkt. No. 197.

Chain Bridge hereby requests that the Court maintain the unredacted version of Chain Bridge's Reply under seal for the same reasons that the Court sealed the unredacted exhibits to Chain Bridge's fees motion. The unredacted version of Chain Bridge's Reply discusses and quotes entries from Chain Bridge's billing records that reflect Chain Bridge's litigation approach, research topics, and strategy. As this Court correctly concluded when it authorized the sealed filing of Chain Bridge's exhibits, that information should be protected from public disclosure. *See, e.g., Chaudhry v. Gallerizzo*, 174 F.3d 394, 402 (4th Cir. 1999); *Denton v. PennyMac Loan Servs., LLC*, 252 F. Supp. 3d 504, 508 (E.D. Va. 2017); *Brown v. Tethys Bioscience, Inc.*, No. CIV.A. 1:10-1245, 2012 WL 252632, at *3 (S.D.W. Va. Jan. 26, 2012). Under these circumstances, Chain Bridge's filing of the redacted version of its Reply on the public docket is sufficient to satisfy the public's interest in observing and understanding these proceedings. *See, e.g., ActiveVideo Networks, Inc. v. Verizon Commc'ns, Inc.*, No. 2:10-CV-248, 2011 WL 7046021, at *2 (E.D. Va. Dec. 7, 2011).

* * * *

The unredacted version of Chain Bridge's Reply should remain under seal. A proposed order reflecting the requested relief is attached hereto as Exhibit A.

Dated: November 29, 2021

Respectfully submitted,

/s/ Donald Burke

Gary A. Orseck (*pro hac vice*)

Matthew M. Madden (*pro hac vice*)

Donald Burke (VA Bar No. 76550)

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CERTIFICATE OF SERVICE

I hereby certify that on November 29, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the following:

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