

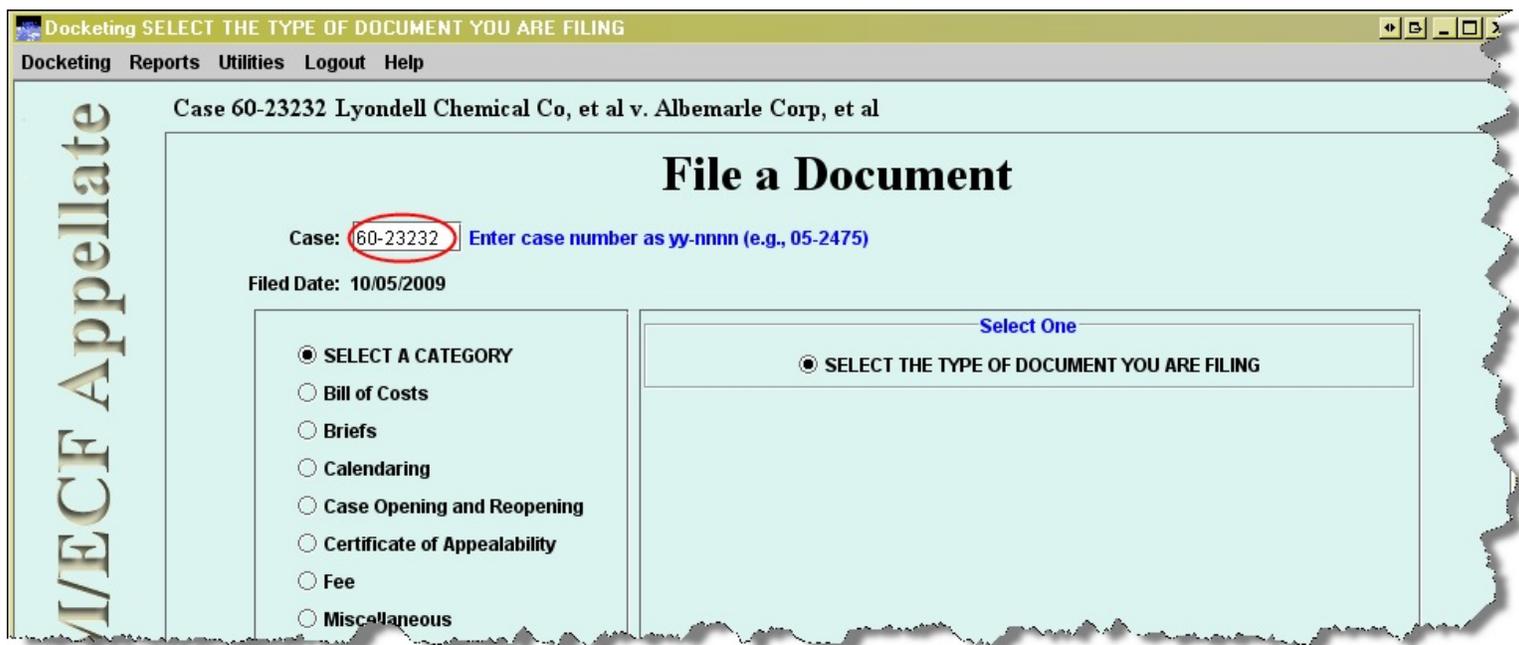
## Fifth Circuit U.S. Court of Appeals How to File a Motion/Document Under Temporary Seal

Note: Use this event to file any material that should have restricted access. If the court denies the request, access to the motion, document or brief will be adjusted as specified by the court.

1. Single click **Docketing** from the menu bar.
2. Single click **File a Document** from the drop-down menu.



3. Click to place your cursor in the **Case:** text box.

A screenshot of the "File a Document" web form. The browser title is "Docketing SELECT THE TYPE OF DOCUMENT YOU ARE FILING". The menu bar includes "Docketing", "Reports", "Utilities", "Logout", and "Help". The page title is "Case 60-23232 Lyondell Chemical Co, et al v. Albemarle Corp, et al". The main heading is "File a Document". The "Case:" text box contains "60-23232" and is circled in red. Below it is the "Filed Date: 10/05/2009". There are two columns of radio buttons. The left column is titled "SELECT A CATEGORY" and includes options: "Bill of Costs", "Briefs", "Calendaring", "Case Opening and Reopening", "Certificate of Appealability", "Fee", and "Miscellaneous". The right column is titled "Select One" and includes the option "SELECT THE TYPE OF DOCUMENT YOU ARE FILING". A vertical logo "M/ECF Appellate" is on the left side.

4. Enter your case number (ex. 08-10084, 08-2).
5. Single click a radio button to the left of **Motion, Response, Reply**. When a choice is made, the available events for that category display on the right.

**SELECT A CATEGORY**

**Bill of Costs**

**Briefs**

**Calendaring**

**Case Opening and Reopening**

**Certificate of Appealability**

**Fee**

**Miscellaneous**

**Motion, Response, Reply**

**Party, Attorney**

**Transcript, Court Reporter**

6. Single click a radio button to the left of **Motion and/or Document Filed Under Temporary Seal**.

**SELECT A CATEGORY**

**Bill of Costs**

**Briefs**

**Calendaring**

**Case Opening and Reopening**

**Certificate of Appealability**

**Fee**

**Miscellaneous**

**Motion, Response, Reply**

**Party, Attorney**

**Transcript, Court Reporter**

**Select One**

**SELECT THE TYPE OF DOCUMENT YOU ARE FILING**

**ECF Motion filed on Behalf of Party**

**ECF Brief in Support of Motion**

**ECF Motion of Attorney on Own Behalf**

**ECF Joint Stipulation of the Parties**

**ECF Motion and/or Document Filed Under Temporary Seal**

**ECF Corrected Motion Filed (replaces previously filed motion)**

**ECF Motion to File a Brief as Amicus**

**ECF Motion to Intervene**

**ECF Petition filed**

**ECF Response/Opposition Filed**

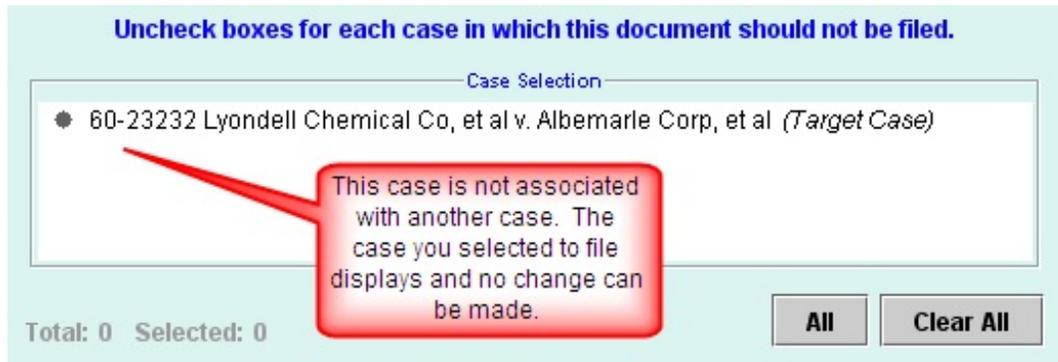
**ECF Reply Filed to Response/Opposition**

When Motion, Response, Reply is selected as the event category, available events display for selection to the right.

NOTE: This event immediately restricts public access to the documents uploaded in the entry. If you do not select ECF Motion and/or Document Filed Under Temporary Seal, your document will not be restricted. It is **your** responsibility to use the appropriate event when filing sealed materials.

- If your case is associated with another case (e.g., consolidated, cross-appeal, additional), the other case will display in the **Case Selection** box and will default as checked so that the entry you are docketing will be applied to both cases (or all cases if multiple are listed).

In the situation where your filing does not apply to all cases checked, single click the checkbox to the left of the case to de-select it.



- Click **Continue** to proceed to the next screen.

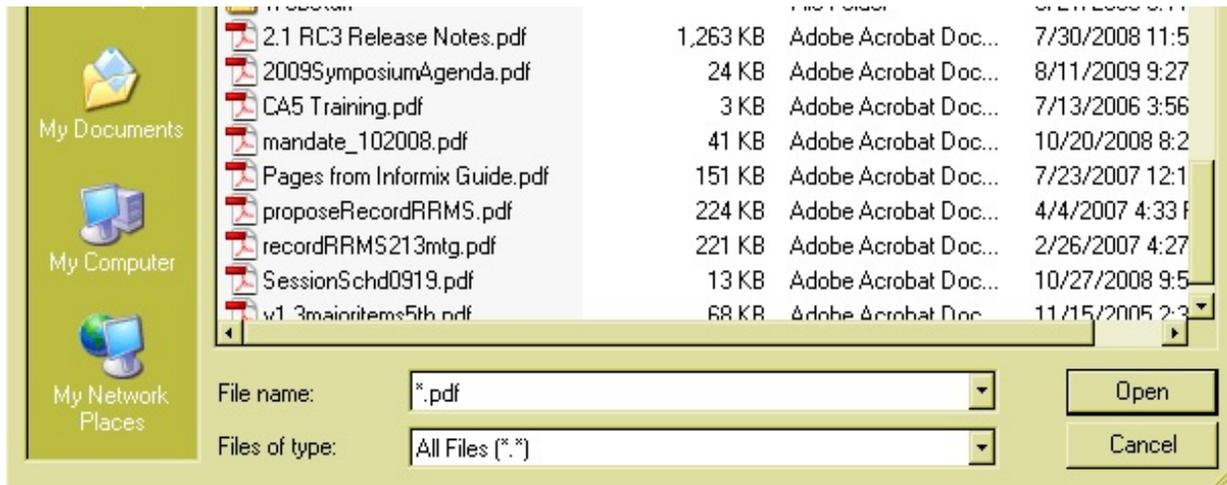


- Single click the **Continue** checkbox to acknowledge that you have filed an appearance in this case. If you have not, do not click the checkbox, simply click **OK**. The event will not proceed. Obtain the appearance form from our web site, file the appearance with that event and then docket the motion.



- Upload your document.

- a. Either type the complete path to the file or click **Browse** to locate it (single click to select the file and click **Open**).



- b. Enter a description for your document using the format of the examples below. A description is mandatory.

Motion to Seal Exhibit  
Proposed Sealed Exhibit

**PDF Document**

Document:   Description:

Document:   Description:

10. If you have additional documents to attach to this filing (as in the above example), click **Add Another** and follow the steps in 9 above.

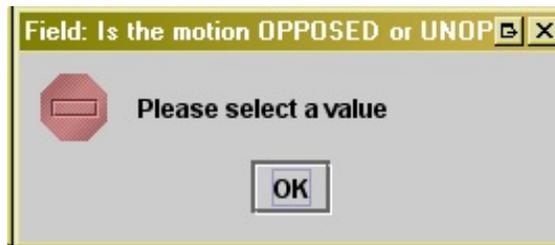
If your document is so large that it needs to be broken into separate documents because of the file size limitation, you would upload the extra parts of the documents as attachments. The file size limitation for a single file is 10 MB. If multiple files are attached to the entry, the limitation for all files is 50 MB.

11. Single click the **Please Select** drop-down box and select **Unopposed**, **Opposed** or the **blank line/space** selection to indicate that your motion is

or is not opposed or that you are uncertain. Use the blank line/space to indicate you do not know whether it is opposed or unopposed.

The screenshot shows a web form with a dropdown menu titled "Please Select" with a downward arrow. The dropdown menu is open, showing three options: a blank line, "unopposed", and "opposed". A red callout box with a white border and a red arrow pointing to the dropdown menu contains the text: "If you are unsure whether the filing is opposed or unopposed, select the blank line. One of the 3 options in this drop-down list must be selected or you will not be able to move off this screen." Below the dropdown menu, there is a table with columns: "Filer", "Appellant-Defendant", "Case Number", and "Short Title". The first row of the table contains the following data: "Joanen, Lewis Scott", "Appellant-Defendant", "60-23232", and "Lyondell Chemical ...".

Note: this is required, if you try to continue past this screen you will receive an error message asking you to complete this selection.



12. Select the filer of the document. In most cases, even though you are the attorney, you are filing on behalf of the party, so the party name(s) should be selected.

Single click the checkbox to the left of the name/type. Select all applicable filers. Use the **All Cases** button if the party is in multiple cases. This will automatically select all the cases at once for you for the party chosen prior to clicking **All Cases**. If you neglect to use this button, you would have to single click each party in each case.

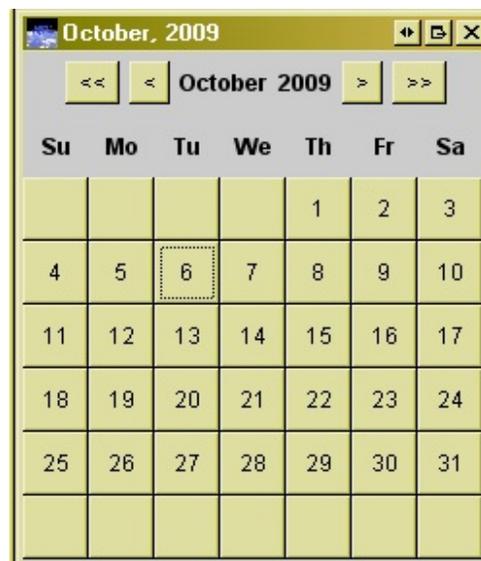


Use the **Select All** button to select all filers listed. Use the **Clear All** button to remove selections and start filer selection again. Do not click the **Display All Parties** button.

**If you are filing on behalf of multiple attorneys:**

Add the additional party and attorney names in the box provided on the docket text window.

- Enter the date on your certificate of service. Either type the date in the **Service Date:** text box or single right click in the box. Choose **Select Date from Calendar** and then do so from the popup monthly calendar.



14. Indicate who you served and how.

Attorneys in the case will display in the **Service** box. Single click the checkbox to the left of the name to de-select anyone you have not served. To de-select all, single click the checkbox to the left on the title row.

The individual's service preference will default as checked. Registered attorneys will all have a preference checked of **Email**. In the circumstance where an attorney has not yet registered during the voluntary phase, their preference may be set to **US mail** and you should serve them in the pre-CM/ECF manner.

The **Display All** button displays other attorneys that didn't originally display, e.g., attorneys linked to terminated parties. To undo your changes and begin the service process again, click the **Reset** button. The **Service** box will return to it's original state.

**Service**

Service Date: 10/09/2009

**Service**

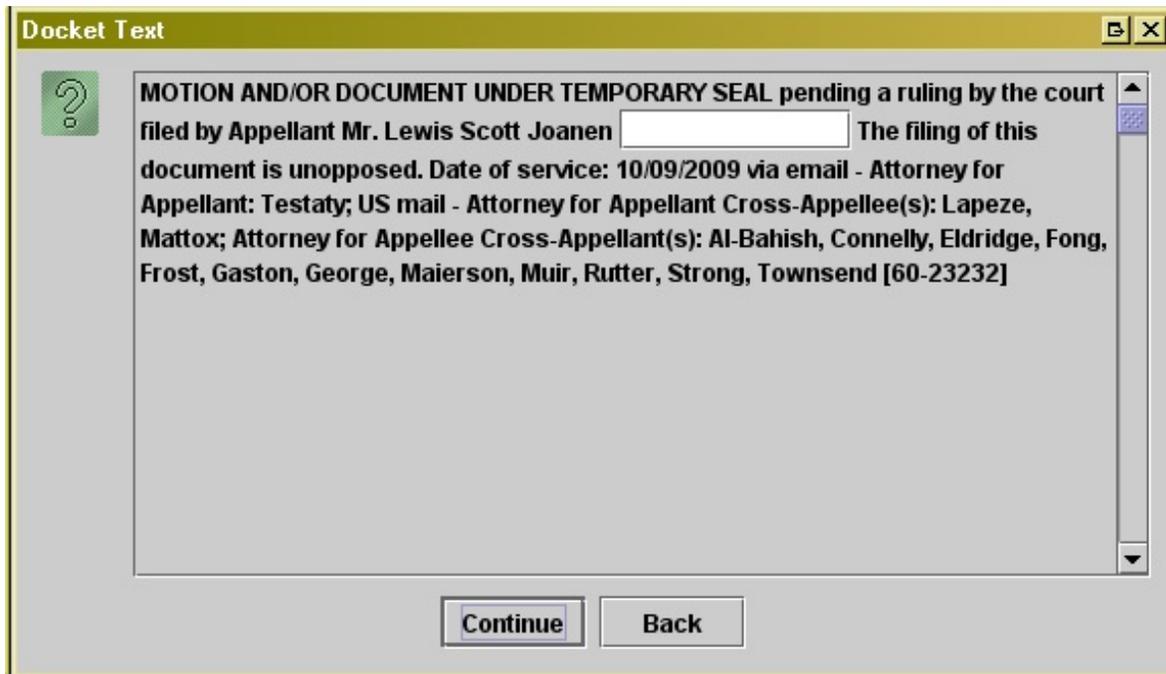
<input type="checkbox"/>	Name	Originate/Party Type	US mail	Fax	Hand	Email	Clerk	3rd party
<input type="checkbox"/>	Testaty, Anne, aty	Appellant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Lapeze, Keith W, aty	Appellant Cross-App...	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Mattox, Sharon M, aty	Appellant Cross-App...	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Bates, David Matthew, aty	Appellee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Fong, Kevin Murray, aty	Appellee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Display All

Reset

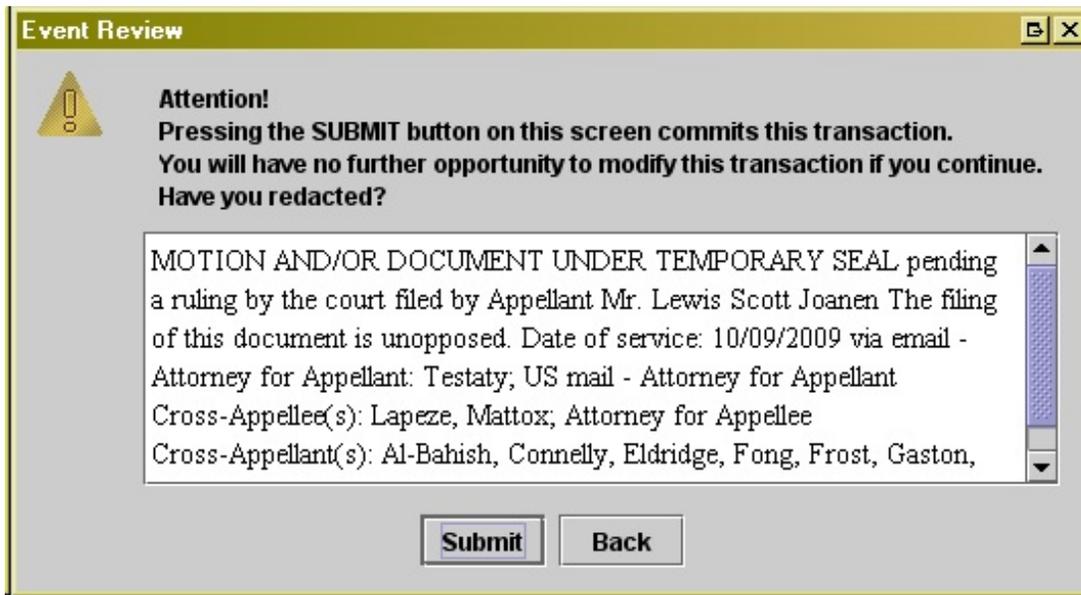
15. Click **Continue**.

16. On the **Docket Text** box, you cannot make changes to the existing text on the popup screen. This is an advance of how the text will look if you complete your transaction. If you need to add any other information about this entry, add that in the white text box on this screen. The box appears small, but it will hold over 200 characters. When complete, click **Continue**.



If something in the text causes you to believe you have made an error, click **Back** to return to the event. Use the **Back** button to maneuver through the entry to see where you make the mistake.

17. Click **Submit** on the final **Event Review** popup screen. Any text you entered in the box on the prior window will appear in *italics*. Again, if you notice an error at this point, click **Back** to return to the entry and make adjustments.



18. Click **OK** on the **Event Docketed** popup screen as confirmation that the entry has been completed.



19. The Notice of Docket Activity (NDA) will open in a new screen at the completion of your entry. Click the upper right X to close the screen after you have printed or saved it. Alternatively, select **File** from the browser menu and then **Exit**.

60-23232 Lyondell Chemical Co, et al v. Albemarle Corp, et al "ECF Motion and/or Document Filed - Windows Internet Exp...  
https://ecf.ca5.uscourts.gov/cmecf/servlet/TransportRoom?servlet=Show  
Google

File Edit View Favorites Tools Help

60-23232 Lyondell Chemical Co, et al v. Albemarle Corp... Page Tools

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

**United States Court of Appeals for the 5th Circuit**

**Notice of Docket Activity**

The following transaction was entered on 10/16/2009 at 12:11:34 PM CDT and filed on 10/16/2009

**Case Name:** Lyondell Chemical Co, et al v. Albemarle Corp, et al  
**Case Number:** [60-23232](#)  
**Document(s):** [Document\(s\)](#)

**Docket Text:**  
MOTION AND/OR DOCUMENT UNDER TEMPORARY SEAL pending a ruling by the court filed by Appellant Mr. Lewis Scott Joanen The filing of this document is unopposed. Date of service: 10/09/2009 via email - Attorney for Appellant: Testaty; US mail - Attorney for Appellant Cross-Appellee(s): Lapeze, Mattox; Attorney for Appellee Cross-Appellant(s): Al-Bahish, Connelly, Eldridge, Fong, Frost, Gaston, George, Maierson, Muir, Rutter, Strong, Townsend [60-23232] (AT)

The following document(s) are associated with this transaction:

**Document Description:**Motion to Seal Exhibit  
**Original Filename:**sample1.pdf  
**Electronic Document Stamp:**  
[STAMP acecfStamp\_ID=1105048708 [Date=10/16/2009] [FileNumber=6388491-0]  
[b200de012ae19357bf1084719e7b209bf1982900bcf23f9cf28d16b36db0c6b1788ec5034998aae8562d37e52ebdffa7068c

**Document Description:**Proposed Sealed Exhibit  
**Original Filename:**sample2.pdf  
**Electronic Document Stamp:**  
[STAMP acecfStamp\_ID=1105048708 [Date=10/16/2009] [FileNumber=6388491-1]  
[90ff9aeb1b7ecdb6e0bb1588b4f128e984a84e1492327b2176e532b92ef7905f000f4e5cef71f96331c523983e388588325d3

**Notice will be electronically mailed to:**