

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	CIVIL NO. 3:10cv 00747
)	
EBONY WOOD IN VARIOUS FORMS)	JUDGE HAYNES
)	
Defendant.)	

MOTION TO FILE DECLARATION *EX PARTE* AND UNDER SEAL

Now comes the United States of America by Jerry E. Martin, United States Attorney for the Middle District of Tennessee, and, for the reasons stated in the attached Affidavit of Lana N. Pettus, Trial Attorney of the Environmental Crimes Section of the United States Department of Justice, moves this Honorable Court to file *ex parte* and under seal the Declaration of Lana N. Pettus

A proposed order is attached hereto.

Respectfully submitted,
JERRY E. MARTIN
United States Attorney for the
Middle District of Tennessee

By: s/Debra Teufel Phillips
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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of July 2011 a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following, if registered, by operation of the Court's electronic filing system. If not registered, notice was mailed by regular U.S. Mail to:

<p>Steven Allen Riley Riley, Warnock & Jacobson 1906 West End Avenue Nashville, TN 37203</p> <p>Timothy G. Harvey Riley, Warnock & Jacobson 1906 West End Avenue Nashville, TN 37203</p> <p>W. Russell Taber , III Riley, Warnock & Jacobson 1906 West End Avenue Nashville, TN 37203</p>	<p>David Alexander Fardon Harwell, Howard, Hyne, Gabbert & Manner, P.C. 315 Deaderick Street Suite 1800 Nashville, TN 37238</p> <p>Hans Rudolf Schuler Am Hunengrab 1 21521 Aumuhle, Germany</p>
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s/Debra Teufel Phillips

DEBRA TEUFEL PHILLIPS