

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

FEDERAL ENERGY REGULATORY COMMISSION,)	
)	
Plaintiff,)	Civil Action No. 3:15-cv-00452 (MHL)
v.)	
)	
POWHATAN ENERGY FUND, LLC, HOULIAN “ALAN” CHEN, HEEP FUND, INC., and CU FUND, INC.)	
)	
Defendants.)	
)	

**DEFENDANTS’ MOTION FOR LEAVE TO FILE UNDER SEAL
PORTIONS OF DEFENDANTS’ RESPONSE IN OPPOSITION TO THE
MARKET MONITOR’S MOTION TO QUASH AND FOR PROTECTIVE ORDER**

Pursuant to Local Civil Rule 5 and section 8.2 of the Consent Protective Order entered by the Court on March 22, 2021 (ECF No. 170), Defendants Powhatan Energy Fund, LLC, Houlian “Alan” Chen, HEEP Fund, Inc., and CU Fund, Inc. (collectively, “Defendants”), by and through counsel, hereby move for leave to file under seal portions of Defendants’ Response in Opposition to the Market Monitor’s Motion to Quash and for Protective Order.

Defendants’ reasons for filing this motion are set forth in the accompanying memorandum, which is fully incorporated by reference herein. Defendants also provide herewith a proposed order permitting Defendants to file under seal portions of Defendants’ Response in Opposition to the Market Monitor’s Motion to Quash and for Protective Order.

Respectfully Submitted,

/s/ Patrick R. Hanes
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/s/ Robert W. Warnement
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Dated: June 25, 2021

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*Counsel for Houlian Chen, HEEP Fund, Inc.,
and CU Fund, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on June 25, 2021, I filed the foregoing motion with the Clerk's Office, using the CM/ECF system, which will send a notification of such filing to counsel of record in this matter.

/s/ Patrick R. Hanes

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)	
Defendants.)	
)	

[PROPOSED] ORDER GRANTING MOTION FOR LEAVE TO FILE UNDER SEAL

This matter has come before the Court on the Defendants’ Motion for Leave to File Under Seal Portions of Defendants’ Response in Opposition to the Market Monitor’s Motion to Quash and for Protective Order (ECF No. ____). The Court hereby finds that (1) the public has been given “adequate notice of the request to seal and a reasonable opportunity to challenge it”; (2) “less drastic alternatives to sealing” have been considered; and (3) the requested sealing is justified for the reasons set forth in the submissions made in support of the motion. *Gonzalez v. Cuccinelli*, 985 F.3d 357, 376 (4th Cir. 2021).

IT IS ORDERED that Defendants’ Motion for Leave to File Under Seal Portions of Defendants’ Response in Opposition to the Market Monitor’s Motion to Quash and for Protective Order is GRANTED. The redacted portions of Defendants’ Response in Opposition to the Market Monitor’s Motion to Quash and for Protective Order (ECF No. ____) SHALL REMAIN UNDER SEAL UNTIL _____.

BY THE COURT:

M. HANNAH LAUCK
United States District Judge

Dated: _____