

**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.)	
)	

**MOTION OF NONPARTY
TO QUASH AND FOR PROTECTIVE ORDER**

Pursuant to Rule 45(c)(3) of the Federal Rules of Civil Procedure and the Initial Pretrial Order issued December 12, 2021 (ECF No. 160), nonparty Monitoring Analytics, LLC, acting in its capacity as the Independent Market Monitor for PJM ("Market Monitor"), moves to quash Defendants' subpoenas for depositions of two Market Monitor staff, Dr. Joseph Bowring, President, and John Dadourian, Senior Analyst, and for a protective order governing the depositions of Dr. Bowring and Mr. Dadourian by Defendants and Plaintiff. The Court should quash the subpoenas and issue a protective order because of the undue burden the subpoenas impose on the Market Monitor and to protect the Market Monitor's confidential information. In support of this Motion, Market Monitor submits a Memorandum of Law and a proposed Order.

Prior to filing this Motion, Market Monitor conferred in good faith with Defendants and Plaintiff, who separately issued a subpoena, but has been unable to reach an agreement resolving matters other than the week for depositions (but not the order) and logistics.

CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2021, I filed the foregoing Notice of Appearance by Third Party 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.

Respectfully submitted,

/s/ Anne G. Bibeau
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