

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Adam Steele, Brittany Montrois, and	)	
Joseph Henchman, on behalf of	)	
themselves and all others similarly	)	
situated,	)	
<i>Plaintiffs,</i>	)	Civil Action No.: 1:14-cv-01523-RCL
	)	
v.	)	
	)	
United States of America,	)	
<i>Defendant.</i>	)	
_____	)	

**JOINT MOTION FOR ENTRY OF PROTECTIVE ORDER**

Pursuant to Federal Rule of Civil Procedure 26(c)(1), the parties jointly move the Court for entry of a protective order governing the production and use of confidential material in this case. The parties are submitting with this motion a proposed order intended to balance the interests of the class members, the United States, and the various third-parties subpoenaed to date. In support, the parties aver as follows:

1. This case concerns whether the Internal Revenue Service charged an excessive amount of user fee to the members of the class in connection with issuing and renewing a preparer tax identification number (“PTIN” and “PTIN User Fee”).
2. In connection with the PTIN and the PTIN User Fee, the Internal Revenue Service entered into contracts with several vendors, including, for example, Accenture, Booz Allen Hamilton, and Prometric.
3. Plaintiffs have issued subpoenas to those vendors, as well as H&R Block and the Government Accountability Office (“GAO”) (collectively, the “Third-Parties”).

4. The parties determined that discovery in this case may necessitate the disclosure of material falling within the protections of Rule 26(c), including, but not limited to, “trade secret or confidential research, development, or commercial information.” *See* Fed. R. Civ. P. 26(c)(1)(G).

5. Specifically, several of the Third-Parties have stated that information in the possession of the Third-Parties and/or the United States may contain confidential and/or proprietary business information.

6. Accordingly, the parties determined that a protective order was appropriate to govern claims of confidentiality as well as the production and use of such confidential material in this case.

7. A protective order is also necessary to permit the United States to produce information within its possession, custody, or control that may contain Third-Party confidential and/or proprietary business information.

8. In May 2019, the parties began substantial negotiations with the Third-Parties regarding the form of a proposed protective order.

9. Since that time, the parties have worked diligently to accommodate concerns raised by the Third-Parties.

10. The parties have exchanged multiple drafts with the Third-Parties and have incorporated many of their suggested edits into the proposed protective order.

11. The parties have also held multiple discussions with the Third-Parties in an attempt to resolve various issues raised by the Third-Parties.

12. These efforts have been extensive and time-consuming.

13. The parties, however, are aware that some Third-Parties still object to certain provisions of the proposed protective order.

14. This joint motion and proposed protective order will be served upon counsel representing each of the Third-Parties.

15. Despite the Third-Party objections, the parties believe that the proposed protective order appropriately balances the need for an open and public proceeding in this case with the protection from inappropriate disclosure of Third-Party confidential and/or proprietary business information.

WHEREFORE, the parties respectfully request that the Court enter the proposed protective order.

Dated: October 1, 2019

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

On October 1, 2019, I, Christopher J. Williamson, declare that I filed the foregoing Joint Motion for Entry of Protective Order with the Clerk of Court using the Official Court Electronic Document Filing System, which served copies on all interested parties registered for electronic filing, and I served the motion via email to the following:

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Dated: October 1, 2019

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