

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X
MORTGAGE RESOLUTION SERVICING,	:
LLC, 1ST FIDELITY LOAN SERVICING,	:
LLC, and S & A CAPITAL PARTNERS,	:
INC.,	:
	:
<i>Plaintiffs,</i>	:
	:
- v. -	:
	:
JPMORGAN CHASE BANK, N.A., CHASE	:
HOME FINANCE, LLC, and JPMORGAN	:
CHASE & CO.,	:
	:
<i>Defendants.</i>	:
-----	X

**MEMORANDUM OF LAW
IN SUPPORT OF DEFENDANTS’ MOTION TO FILE UNDER SEAL**

Defendants JPMorgan Chase Bank, N.A. and JPMorgan Chase & Co. (collectively, “Chase”) move this Court, with the consent of plaintiffs, for an order granting Chase’s motion to file under seal the sealed First Amended Complaint (the “False Claims Act Complaint” or “FCA Complaint”) filed on November 17, 2014 in *United States ex rel. Schneider v. JPMorgan Chase Bank, N.A.*, No. 1:14-cv-01047-RMC (D.D.C.) (the “Schneider FCA Action”) and an unredacted version of Chase’s memorandum of law in support of its anticipated motion to transfer, which memorandum will discuss the contents of the FCA Complaint.

As explained in the parties’ Preliminary Pre-Trial Statement, filed on April 17, 2015 (Dkt. 29-1), Chase intends to move to transfer venue of this action to the United States District Court for the District of Columbia, where it may be consolidated or coordinated with the Schneider FCA Action. In order for the Court to evaluate Chase’s motion to transfer, the Court will need to review the FCA Complaint. That complaint was filed under seal pursuant to the *qui tam* provisions of the False Claims Act, *see* 31 U.S.C. § 3730(b), and it remains under seal to this

date. Chase has the right, however, to submit the FCA Complaint to this Court in connection with Chase's motion to transfer, provided that the FCA Complaint is filed under seal in this Court. Maya Decl. ¶ 5. Chase therefore requests that this Court permit the filing under seal of the FCA Complaint and an unredacted version of Chase's related memorandum of law in support of its motion to transfer. The sealing of these documents is warranted because the documents will "directly affect [the] adjudication" of Chase's motion to transfer, and because a failure to permit the filing of the documents under seal would "impair[] law enforcement" by contravening the sealing requirement set forth in the False Claims Act's *qui tam* provisions. *See Lugosch v. Pyramid Co. Onondoga*, 435 F.3d 110, 119-20 (2d Cir. 2006) (internal quotation and citation omitted); *see also* 31 U.S.C. § 3730(b).

Dated: May 19, 2015

Respectfully submitted,

COVINGTON & BURLING LLP

By: s/ Robert D. Wick
Robert D. Wick

Michael M. Maya
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
Telephone: (202) 662-6000
Facsimile: (202) 662-6291
rwick@cov.com
mmaya@cov.com

Michael C. Nicholson
COVINGTON & BURLING LLP
The New York Times Building
620 Eighth Avenue
New York, New York 10018-1405
(212) 841-1000
mcnicholson@cov.com

Attorneys for Defendants