

Documents with the Department does not insure that access has been so limited. The Court further finds that it has and retains ongoing jurisdiction with respect to the Protective Orders entered herein and the handling of all documents and information subject thereto.

2. Accordingly, it is hereby ordered that Plaintiff immediately withdraw its prior filing of the Subject Documents at the Department. Such withdrawal shall be without prejudice to the Plaintiff's right in this Court to pursue its pending filed Motion to Show Cause, by which it seeks to challenge the protection presently afforded the Subject Documents. Such withdrawal shall be without prejudice to the right of Plaintiff to refile such documents at the Department to the extent allowed by this Court in any subsequent ruling on Plaintiff's Motion to Show Cause.

3. To facilitate the Court's further consideration of Plaintiff's Motion to Show Cause and Defendants' Motion for Protection (the "Pending Motions"), on or before March 6, 1998, it is ordered that Plaintiff may file additional briefing, describing on a document by document basis (1) why a document is necessary to its claims before the Department and (2) in which proceeding at the Department Plaintiff desires to make use of the document. On or before March 27, 1998, Defendants may file their responses thereto.

4. It is further ordered that the time by which Plaintiff must initiate a complaint at the Department regarding its preempted claims is extended to fifteen (15) days following the Court's ruling on the Pending Motions.

SIGNED this 23rd day of February, 1998.



UNITED STATES MAGISTRATE JUDGE