

redacted sample

**United States Small Business Administration
Office of Hearings and Appeals**

Matter of: [XX]

Docket No. [XXXXXXXXXXXXXXXXXXXX]

**APPLICATION FOR ACCESS TO INFORMATION
UNDER A PROTECTIVE ORDER**

1. I hereby apply for access to protected information covered by the Protective Order issued in connection with this appeal.

2. I/My firm represents [XXXXXXXXXXXXXXXXXXXXXXXXXXXX], a party in this appeal.

3. My professional relationship with the party I represent in this appeal and its personnel is strictly one of legal counsel. I am not involved in competitive decisionmaking as discussed in *U.S. Steel Corp. v. United States*, 730 F.2d 1465 (Fed. Cir. 1984), for or on behalf of the party I represent, any interested party to this appeal, or any other firm that might gain a competitive advantage from access to the information disclosed under the Protective Order. I do not provide advice or participate in any decisions of such parties in matters (such as marketing strategies, research and development, product design or competitive structuring and composition of bids, offers, or proposals) involving similar or corresponding information about a competitor, with respect to which the use of the protected information could provide a competitive advantage.

4. I identify here (by writing “none” or by listing names and discussing relevant circumstances) any attorneys in my firm who, to the best of my knowledge, cannot make the representations set forth in Paragraph 3: [xxxx]

5. I identify here (by writing “none” or by listing names, position, and responsibilities) any member of my immediate family who is an officer or holds a management position with an interested party in the appeal or with any other firm that might gain a competitive advantage from access to the information disclosed under the Protective Order: [xxxx]

6. I identify here (by writing “none” or by setting forth) any instances within the last two years in which I have been denied admission to a protective order, or had admission revoked, or been found to have violated a protective order issued by any other tribunal: [xxxx]

7. I have read the Protective Order issued by OHA in this matter, and I will comply in all respects with that order and will abide by its terms and conditions in handling any protected information filed or produced in connection with this appeal.

8. I acknowledge that any violation of the terms of the Protective Order may result in the imposition of such sanctions as OHA deems appropriate, including but not limited to those listed in 13 C.F.R. § 134.219. I further acknowledge that a party whose protected information is improperly disclosed shall be entitled to all remedies under law or equity, including breach of contract.

CERTIFICATION

By my signature, I certify that, to the best of my knowledge, the representations set forth above (including any attached statements) are true and correct. I recognize that knowingly making a false statement on this application could render me liable to penalties under 18 U.S.C. § 1001. I identify below the mailing address, facsimile number, and/or email address at which I may receive protected information in accordance with the terms of the Protective Order.

Signature: [xxxxxxxxxxxxxxxxxxxx]

Date: [xxxxxxxxxxxxxxxxxxxx]

Typed name and title: [xxxxxxxxxxxxxxxxxxxx]

Member of the Bar(s) of: [xxxxxxxxxxxxxxxxxxxx]

Bar membership number(s): [xxxxxxxxxxxxxxxxxxxx]

Firm name: [xxxxxxxxxxxxxxxxxxxx]

Telephone number: [xxxxxxxxxxxxxxxxxxxx]

Mailing Address: [xxxxxxxxxxxxxxxxxxxx]

Facsimile number: [xxxxxxxxxxxxxxxxxxxx]

Email Address: [xxxxxxxxxxxxxxxxxxxx]