

ORIGINAL

UNITED STATES DISTRICT COURT
for the NORTHERN DISTRICT of TEXAS
DALLAS DIVISION

UNITED STATES DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2022 JUN 27 PM 12:49

DEPUTY CLERK MS

UNITED STATES OF AMERICA

v.

ZTE CORPORATION

NO. 3:17-CR-0120K

**MOTION OF PROPOSED INTERVENORS
DOW JONES & CO., INC. AND REUTERS NEWS & MEDIA INC.
TO INTERVENE AND UNSEAL JUDICIAL RECORDS**

Proposed intervenors Dow Jones & Co., Inc. ("Dow Jones") and Reuters News & Media Inc. ("Reuters") (together, "Media Intervenors"), hereby move for leave to intervene in the above-captioned case for the limited purpose of seeking an order unsealing judicial records filed in this matter. This Motion is made on the following grounds:

1. As news organizations, Media Intervenors may intervene for the limited purpose of seeking an order unsealing court documents and opposing court closure.
2. Media Intervenors have a common law right to access court proceedings and records filed with the Court in this matter, and said right is not overcome.
3. Media Intervenors have a First Amendment right to access court proceedings and records filed with the Court in this matter, and said right is not overcome.

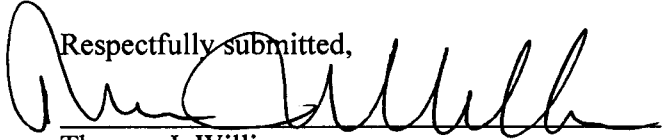
To the extent that compelling interests overcome Media Intervenors' common law and constitutional rights of access to any portion of the sealed records and closed proceedings in this matter, any sealing or closure must be no broader than necessary to serve those interests and must be supported by specific, on-the-record findings.

This Motion is based on Media Intervenors' concurrently filed brief; all pleadings, records, and files in the above-captioned case; all matters of which the Court shall take judicial notice; and on such argument as may be presented at any hearing on this Motion.

RELIEF SOUGHT

Media Intervenors respectfully request that the Court (1) grant their motion to intervene and unseal and (2) enter an order unsealing all sealed records in this matter.

Dated: June 27, 2022

Respectfully submitted,


Thomas J. Williams
State Bar No. 21578500
HAYNES AND BOONE, LLP
301 Commerce Street, Suite 2600
Fort Worth, Texas 76102
P: 817.347.6600
F: 817.347.6650
thomas.williams@haynesboone.com

Laura Lee Prather
State Bar No. 16234200
Michael J. Lambert
State Bar No. 24128020
HAYNES AND BOONE, LLP
600 Congress Ave., Suite 1300
P: 512.867.8400
F: 512.867.8470
laura.prather@haynesboone.com
michael.lambert@haynesboone.com

Katie Townsend*
Jennifer A. Nelson*
THE REPORTERS COMMITTEE FOR FREEDOM OF
THE PRESS
1156 15th Street NW, Suite 1020
Washington, DC 20005
P: 202.795.9300
F: 202.795.9310
ktownsend@rcfp.org
jnelson@rcfp.org

*Application forthcoming for admission *pro
hac vice*

Counsel for Media Intervenors

CERTIFICATE OF CONFERENCE

On June 9, 2022, Jennifer A. Nelson, counsel for Media Intervenors, emailed counsel for the United States (John J. de la Garza, J. Mark Penley) and counsel for ZTE Corporation (Daniel Chung, Alex Schulman, Allyson Ho, Betty Yang, Brennan Holden Meier, Bruce Oakley, Elizabeth Marie Dulong Scott, James Evans Rice III, John W.F. Chesley, M. Scott Barnard, Mary Elizabeth Peters, Matthew Corey Sullivan, Michael P Gibson, Paul Taliaferro Lund, Robert C. Walters) to ascertain their clients' positions on the relief sought by this Motion.

On June 10, 2022, counsel for Media Intervenors (Jennifer A. Nelson, Katie Townsend, Charles Hogle) conferred by telephone with counsel for ZTE (J. Evans Rice, John W.F. Chesley, Scott Barnard).

On June 14, 2022, counsel for the United States (John J. de la Garza) sent an email to counsel for Media Intervenors (Jennifer A. Nelson) indicating that the government takes no position on Media Intervenors' motion to intervene and opposes Media Intervenors' motion to unseal.

On June 17, 2022, counsel for ZTE Corporation (John W.F. Chesley) sent an email to counsel for Media Intervenors (Jennifer A. Nelson, Katie Townsend, Charles Hogle) indicating that ZTE opposes both Media Intervenors' motion to intervene and Media Intervenors' motion to unseal.

Dated: June 27, 2022

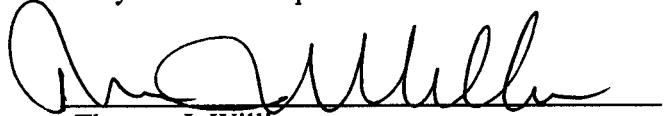
A handwritten signature in black ink, appearing to read 'Thomas J. Williams', written over a horizontal line.

Thomas J. Williams
Counsel for Media Intervenors

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was hand-filed on June 27, 2022. Notice of this filing and service will be sent by U.S. mail and by e-mail to all parties.

Dated: June 27, 2022

A handwritten signature in black ink, appearing to read 'Thomas J. Williams', written over a horizontal line.

Thomas J. Williams
Counsel for Media Intervenors

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[PROPOSED] ORDER

Upon consideration of the motion by Dow Jones & Co., Inc. (“Dow Jones”) and Reuters News & Media Inc. (“Reuters”) (together, “Media Intervenors”) to intervene and unseal, any opposition(s) thereto, and the entire record herein, it is hereby **ORDERED** that:

1. Media Intervenors’ **motion to intervene**, for the limited purpose of seeking access to certain sealed judicial records, is **GRANTED**;
2. Media Intervenors’ motion for access to those judicial records is **GRANTED**; and
3. The clerk shall place on the public docket a copy of the records currently under seal in this matter.

SO ORDERED.

Signed on _____, 2022

Hon. Ed Kinkeade
United States District Judge