

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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IN RE: INSURANCE BROKERAGE  
ANTITRUST LITIGATION

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: MDL No. 1663  
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**APPLIES TO ALL ACTIONS**

: **Civil Action No. 04-5184 (FSH)**  
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IN RE: EMPLOYEE-BENEFIT INSURANCE  
BROKERAGE ANTITRUST LITIGATION

: **Civil Action No. 05-1079 (FSH)**  
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**APPLIES TO ALL ACTIONS**

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**ORDER**

This matter having come before the Court by way of: (1) the motion of the United States to intervene and stay disclosure of the May 27, 2005 Interim Report to the Audit Committee ["Report"] of American International Group ["AIG"]; (2) the letter of counsel for AIG, dated July 5, 2006, asking that the Court conduct an in camera review of the introduction and conclusion sections of the report and to bar disclosure of same because its contents are irrelevant; and (3) the plaintiffs' letter dated July 7, 2006, in which they advise the Court that they have not received any opposition to the request for intervention and in which they express no opposition to AIG's request for an in camera review of the introduction and conclusion sections of the report, and request an opportunity to address the United States' request to delay disclosure if the Court deems the contents relevant;

and there being no opposition to the motion of the United States to intervene;

and the Court having considered the parties' arguments and the standards for intervention under Fed. R. Civ. P. 24;

and Rule 24(a)(2) providing in relevant part:

Upon a timely application anyone shall be permitted to intervene in an action: . . . when the applicant claims an interest relating to the property or transaction which is the subject of the action and the applicant is so situated that the disposition of the action may as a practical matter impair or impede the applicant's ability to protect the interest, unless the applicant's interest is adequately represented by the existing parties,

Fed. R. Civ. P. 24(a)(2);

and the Court finding that the "(1) the [United States'] application for intervention is timely; (2) the [United States] has a sufficient interest in the litigation; (3) the interest may be affected or impaired, as a practical matter by the disposition of the action; and (4) the interest is not adequately represented by an existing party in the litigation," see In re Community Bank of N. Virginia 418 F.3d 277, 314 (3d Cir. 2005) (quoting Harris v. Pernsley, 820 F.2d 592, 596 (3d Cir. 1987));

and, while the Court had previously directed AIG to produce the introduction and conclusion sections of the report, the Court entered the directive before the United States sought intervention and raised its concerns about disclosure at this time;

and it appearing that there is no opposition to the Court's in camera review of these sections,

and the Court having reviewed the introduction and conclusion sections of the Report;

and it appearing that certain limited portions of these sections may be relevant under Fed. R. Civ. P. 26;

and the Court now requesting additional information before ruling on the request to require disclosure of any portion of the Report or delaying same;

and for good cause shown

IT IS ON THIS 10th day of July, 2006

ORDERED that the motion of the United States to intervene [Civil No. 04-4184, Docket No. 595; Civil No. 05-1079, Docket No. 342] is granted;

IT IS FURTHER ORDERED that, no later than **July 14, 2006**, AIG shall submit a letter that: (a) states whether or not any of the individuals identified in any part of the report have been identified as persons with knowledge of the claims and/or defenses in this case; (b) if the individuals identified do have personal knowledge of the claims and/or defenses, summarize the subjects/topics about which they have knowledge; and (c) provide, for in camera inspection, the excerpts of the Report where such persons are identified; and

IT IS FURTHER ORDERED that, no later than **July 14, 2006**, AIG and the United States shall each submit, for in camera inspection, a chart that sets forth whether or not they oppose the disclosure of any of the following for attorney's eyes only and if so, why disclosure at this time is opposed: (a) the first paragraph of page 1; (b) the first full paragraph of page 3; (c) the final paragraph of page 3; (d) the bullet points listed on page 4; (e) the paragraph numbered 1 on page 8; (f) the paragraph numbered 1 on page 11, (g) the paragraph numbered 4 on page 12; and (h) the paragraphs numbered 7 (first sentence only) and 9 (first sentence only) on page 13. AIG shall also include a column in its chart that explains why such sections of the report are not relevant under Fed. R. Civ. P. 26.

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s/Patty Shwartz

UNITED STATES MAGISTRATE JUDGE