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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Medicis Pharmaceutical Corporation,

No. CV 10-1780-PHX-JAT

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Plaintiff,

**ORDER**

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vs.

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Acella Pharmaceuticals Incorporated,

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Defendant.

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The parties have filed numerous motions to seal. Currently pending are: Plaintiff

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Medicis Pharmaceutical Corporation’s Motion to Seal its Response to Defendant’s Motion

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for Reconsideration (Doc. 77); Defendant Acella Pharmaceutical’s Motion to Seal its

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Response in Opposition to Motion for Preliminary Injunction (Doc. 82); Defendant’s Motion

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to Seal Document (Doc. 87); Defendant’s Motion to Seal Motion for Reconsideration (Doc.

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94); Plaintiff’s Motion to Seal Rely in Support of Preliminary Injunction (Doc. 107); Motion

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to Seal Joint Preliminary Injunction and Markman Prehearing Statement (Doc. 125);

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Defendant’s Motion to Seal Opposition for Leave to Amend Complaint (Doc. 138); and

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Plaintiff’s Motion to Seal Reply in Support of its Motion to Amend Complaint (Doc. 145).

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The Court starts with a strong presumption in favor of public access to court records.

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*Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). A party that

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wants to seal any part of a dispositive motion must overcome this strong presumption with

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compelling reasons for sealing. *Kamakana v. City and County of Honolulu*, 447 F.3d 1172,

1 1179 (9th Cir. 2006). To seal any part of non-dispositive motion, a party still must  
2 demonstrate good cause. *Id.* at 1180.

3 The Court will not automatically seal a document because the parties have requested  
4 and the Court has entered a protective order. The parties have to make some effort. A party  
5 requesting to file a motion under seal must make a good cause showing. The Court finds that  
6 only some of the pending Motions have met that minimum standard.

7 Accordingly,

8 **IT IS ORDERED** Granting Plaintiff's Motion to Seal its Response to Defendant's  
9 Motion for Reconsideration (Doc. 77). The Clerk shall file under seal the Unredacted  
10 Response currently lodged at Docket 78.

11 **IT IS FURTHER ORDERED** Granting Defendant's Motion to Seal its Response  
12 in Opposition to Motion for Preliminary Injunction (Doc. 82). The Clerk shall file under  
13 seal the Unredacted Response currently lodged at Docket 83.

14 **IT IS FURTHER ORDERED** Denying for failure to show good cause  
15 Defendant's Motion to Seal Document (Doc. 87).

16 **IT IS FURTHER ORDERED** Denying for failure to show good cause  
17 Defendant's Motion to Seal Motion for Reconsideration (Doc. 94).

18 **IT IS FURTHER ORDERED** granting Plaintiff's Motion to Seal Rely in Support  
19 of Preliminary Injunction (Doc. 107). The Clerk shall file under seal the Unredacted  
20 Reply currently lodged at Docket 108.

21 **IT IS FURTHER ORDERED** Granting Motion to Seal Joint Preliminary  
22 Injunction and Markman Prehearing Statement (Doc. 125). The Clerk shall file under  
23 seal the Unredacted Joint Prehearing Statement currently lodged at Docket 126.

24 **IT IS FURTHER ORDERED** Granting Defendant's Motion to Seal Opposition  
25 for Leave to Amend Complaint (Doc. 138). The Clerk shall file under seal the  
26 Unredacted Opposition to Leave to Amend currently lodged at Docket 139.

27 **IT IS FURTHER ORDERED** Granting Defendant's Motion to Seal Reply in  
28 Support of Motion for Leave to Amend Complaint (Doc. 145). The Clerk shall file under

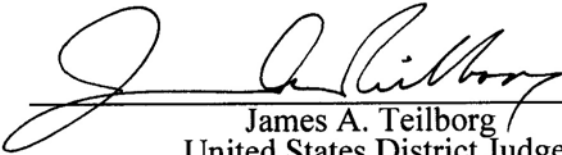
1 seal the Unredacted Reply currently lodged at Docket 146.

2 DATED this 2nd day of March, 2011.

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James A. Teilborg  
United States District Judge

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