

1 KEKER, VAN NEST & PETERS LLP
JEFFREY R. CHANIN - # 103649
2 jchanin@keker.com
MATTHEW M. WERDEGAR - # 200470
3 mwerdegar@keker.com
633 Battery Street
4 San Francisco, CA 94111-1809
Telephone: 415 391 5400
5 Facsimile: 415 397 7188

6 Attorneys for Defendants
INSTITUUT VOOR LANDBOUW-EN VISSERIJONDERZOEK
7 and EIGEN VERMOGEN VH INSTITUUT VOOR LANDBOUW-
EN VISSERIJONDERZOEK

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10 FRESNO DIVISION

11 E. & J. GALLO WINERY, doing business
12 as SAN JOAQUIN VALLEY
CONCENTRATES; G3 ENTERPRISES,
13 INC. doing business as DELAWARE G3
ENTERPRISES, INC.; and MCD
14 TECHNOLOGIES INC.,

15 Plaintiffs,

16 v.

17 INSTITUUT VOOR LANDBOUW-EN
VISSERIJONDERZOEK; EIGEN
18 VERMOGEN VH INSTITUUT VOOR
LANDBOUW-EN
19 VISSERIJONDERZOEK; FLANDERS'
FOOD; and DOES 1-10,

20 Defendants.
21
22
23
24
25
26
27
28

Case No. 17-cv-00808-DAD-EPG

**DEFENDANTS' REQUEST FOR SEALED
HEARING TRANSCRIPT; ORDER**

Judge: Hon. Erica P. Grosjean

Date Filed: June 15, 2017

Trial Date: None set

1 **DEFENDANTS’ REQUEST FOR SEALED HEARING TRANSCRIPT**

2 On April 13, 2018 (Dkt. No. 63), the Court held a hearing on Defendants Instituut Voor
3 Landbouw-en Visserijonderzoek and Eigen Vermogen VH Instituut Voor Landbouw-en
4 Visserijonderzoek (collectively, “ILVO”) Amended Motion for Protective Order Staying
5 Discovery by Plaintiffs Pending Compliance with California Code of Civil Procedure § 2019.210
6 (Dkt. No. 50). Defendants Instituut Voor Landbouw-en Visserijonderzoek and Eigen Vermogen
7 VH Instituut Voor Landbouw-en Visserijonderzoek (collectively, “ILVO” or “Defendants”)
8 respectfully submit this request for a copy of the sealed portion of the hearing transcript.

9 The Court conducted two portions of the April 13, 2018 hearing as follows: (1) OPEN
10 portion, the hearing was approximately 40 minutes and (2) SEALED portion, the hearing was
11 approximately one (1) hour and two (2) minutes. On April 16, 2018 (Dkt. No. 64), Defendants
12 submitted a Transcript Request for the proceedings held on April 13, 2018 before the Honorable
13 Erica P. Grosjean, Court Report ECRO Fresno - Araceli Gil-Garcia. Therefore, Defendants
14 request that the Court authorize the court reporter ECRO - Araceli Gil-Garcia (Dkt. No. 63), to
15 provide Defendants’ counsel with a copy of the Sealed portion of April 13, 2018 hearing
16 transcript.

17
18
19 Dated: April 17, 2018

Respectfully Submitted,
KEKER, VAN NEST & PETERS LLP

20 By: /s/ Matthew M. Werdegar
21 JEFFREY R. CHANIN
22 MATTHEW M. WERDEGAR

23 Attorneys for Defendants
24 INSTITUUT VOOR LANDBOUW-EN
25 VISSERIJONDERZOEK and EIGEN
26 VERMOGEN VH INSTITUUT VOOR
27 LANDBOUW-EN
28 VISSERIJONDERZOEK

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

The Court has considered Defendants' Request for the April 13, 2018, Sealed Hearing Transcript on the Motion for Protective Order, and authorizes the court reporter, ECRO – Araceli Gil-Garcia, to provide Defendants' counsel with a copy of the sealed portion of April 13, 2018 hearing transcript. The portions of the transcript shall be treated as Attorneys Eyes Only.

IT IS SO ORDERED.

Dated: April 17, 2018

/s/ Eric P. Guoj
UNITED STATES MAGISTRATE JUDGE