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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

**NATIONAL ASSOCIATION OF  
OPTOMETRISTS & OPTICIANS,  
LENSCRAFTERS, INC., EYE CARE  
CENTERS OF AMERICA, INC.,**  
  
Plaintiffs,  
  
v.  
  
**EDMUND G. BROWN JR., IN HIS  
OFFICIAL CAPACITY AS ATTORNEY  
GENERAL OF THE STATE OF  
CALIFORNIA, AND BRIAN J. STIGER,  
IN HIS OFFICIAL CAPACITY AS THE  
DIRECTOR OF THE DEPARTMENT OF  
CONSUMER AFFAIRS,**  
  
Defendants.

Case No. CIV-S-02-1464 LKK DAD

**ORDER ON DEFENDANTS' MOTION  
TO FILE DOCUMENTS UNDER SEAL  
AND TO FILE PUBLIC VERSIONS  
SUPPORTING DEFENDANTS' REPLY  
ON MOTION FOR SUMMARY  
JUDGMENT ON PIKE**

Date: April 19, 2010  
Time: 10:00 a.m.  
Courtroom: 4  
Judge: The Honorable Lawrence K.  
Karlton

Defendants Edmund G. Brown Jr., in his official capacity as Attorney General of the State of California, and Brian J. Stiger, in his official capacity as the Director of the Department of Consumer Affairs' Motion to File Documents Under Seal and to File Public Versions Supporting Defendants' Reply on Motion for Summary Judgment on *Pike* having been duly considered;

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1 IT IS HEREBY ORDERED that Defendants' Motion is GRANTED and that Defendants  
2 are permitted to file the following documents pursuant to their request:

3 1. Supplemental Declaration of Philip M. Parker, PhD Supporting Defendants' Reply on  
4 Motion for Summary Judgment on *Pike* – Public and Under Seal Versions.

5 2. Defendants' Reply Supporting Defendants' Separate Statement of Undisputed Facts  
6 in Support of Defendants' Motion for Summary Judgment on *Pike* and in Opposition to Plaintiffs'  
7 Motion for Summary Judgment on *Pike* – Under Seal Version only.

8 3. Defendants' Response to Plaintiffs' Evidentiary Objections and Opposition to  
9 Plaintiffs' Motion to Strike Defendants' Declarations and Evidence Submitted in Support of  
10 Defendants' Motion for Summary Judgment on *Pike* and in Opposition to Plaintiffs' Motion for  
11 Summary Judgment on *Pike* – Under Seal Version only.

12 4. Defendants' Evidentiary Objections to, and Motion to Strike, Declarations and  
13 Evidence Submitted by Plaintiffs on Motions for Summary Judgment on *Pike* – Under Seal  
14 Version only.

15 IT IS FURTHER ORDERED that Defendants' request that the Court not “indefinitely” seal  
16 any documents filed in conjunction with the pending dispositive Motions for Summary Judgment  
17 on *Pike* or Oppositions to Motions for Summary Judgment on *Pike* will be further considered  
18 following resolution of the parties' summary judgment motions.

19 IT IS SO ORDERED.

20 Dated: April 8, 2010

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23 LAWRENCE K. KARLTON  
24 SENIOR JUDGE  
25 UNITED STATES DISTRICT COURT  
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