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19 Attorneys for Plaintiff Microsoft

20 UNITED STATES DISTRICT COURT
21 EASTERN DISTRICT OF CALIFORNIA
22 SACRAMENTO DIVISION

23 MICROSOFT CORPORATION, a
24 Washington corporation,

25 Microsoft Corporation v. Medvedkov Plaintiff,

26 v.

OLEG MEDVEDKOV, d/b/a 1ST CHOICE
SOFTWARE, 030801, LEJEPEK,
LEJEPEKA, and ARTOW, an individual; and
LYNN LAYHEE, d/b/a 030801, an
individual,

Defendants.

FILED

MAY - 1 2006

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SEALED

NO. CIV S-06-0949 FCD GGH

ORDER GRANTING PLAINTIFF
MICROSOFT'S *EX PARTE* MOTION
FOR LEAVE TO FILE UNDER SEAL

Doc. 2

[FILED UNDER SEAL]

THIS MATTER comes before the Court upon Plaintiff Microsoft's *Ex Parte* Motion for Leave to File under Seal certain pleadings and other documents in this action. Having reviewed the materials submitted, and being fully advised, the Court hereby GRANTS the motion as follows:

1 (1) The Court GRANTS Microsoft's *Ex Parte* Motion without notice because
2 the Court finds that there is a real and substantial probability that prior notice of the
3 documents enumerated below would defeat the relief sought therein.

4 (2) The Court directs the Clerk of the Court to place the documents enumerated
5 below under seal of the Court:

- 6 (a) Plaintiff Microsoft's *Ex Parte* Motion for Leave to File under Seal;
7 (b) Memorandum in Support of Plaintiff Microsoft's *Ex Parte* Motion
8 for Leave to File under Seal;
9 (c) [Proposed] Order Granting Plaintiff Microsoft's *Ex Parte* Motion for
10 Leave to File under Seal;
11 (d) Complaint for Damages and Injunctive Relief;
12 (e) Summons;
13 (f) Civil Cover Sheet;
14 (g) Plaintiff Microsoft's *Ex Parte* Application for (1) Temporary
15 Restraining Order Freezing Defendants' PayPal Account and Related
16 Accounts, and (2) Order to Show Cause;
17 (h) Memorandum in Support of Plaintiff Microsoft's *Ex Parte*
18 Application for (1) Temporary Restraining Order Freezing
19 Defendants' PayPal and Related Accounts, and (2) Order to Show
20 Cause;
21 (i) [Proposed] Order Granting Plaintiff Microsoft's *Ex Parte*
22 Application for (1) Temporary Restraining Order Freezing
23 Defendants' PayPal Account and Related Accounts, and (2) Order to
24 Show Cause;
25 (j) Plaintiff Microsoft's *Ex Parte* Application for (1) Temporary
26 Restraining Order Enjoining Distribution of Microsoft Products, (2)

1 Temporary Order Impounding Microsoft Products, and (3) Order to
2 Show Cause;

3 (k) Memorandum in Support of Plaintiff Microsoft's *Ex Parte*
4 Application for (1) Temporary Restraining Order Enjoining
5 Distribution of Microsoft Products, (2) Temporary Order
6 Impounding Microsoft Products, and (3) Order to Show Cause;

7 (l) [Proposed] Order Granting Plaintiff Microsoft's *Ex Parte*
8 Application for (1) Temporary Restraining Order Enjoining
9 Distribution of Microsoft Products, (2) Temporary Order
10 Impounding Microsoft Products, and (3) Order to Show Cause;

11 (m) Declaration of Miles Hawkes, and exhibits attached thereto;

12 (n) Declaration of Evelyn Blackwell, and exhibits attached thereto;

13 (o) *Pro Hac Vice* Application, ECF Registration and Consent to
14 Electronic Service, Proposed Order (Scott T. Wilsdon); and

15 (p) *Pro Hac Vice* Application, ECF Registration and Consent to
16 Electronic Service, Proposed Order (Jeremy E. Roller).

17 (3) Notwithstanding the foregoing, the Clerk of the Court is directed to make
18 certified or other copies of the above enumerated documents, including all orders entered
19 by this Court, available to Plaintiff's counsel for service.

20 (4) The Court ORDERS that the seal shall be lifted upon service on Defendants
21 and the third party financial institutions with the Temporary Restraining Order Freezing
22 Defendants' PayPal Account and Related Accounts, or as otherwise ordered by the Court.
23 Plaintiff's counsel is directed to notify the Clerk as soon as the service is completed.

24 DATED this 1st day of May, 2006.

25 
26 United States District Judge