

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

THE COUNTY OF SANTA CLARA, on behalf
of itself and all others similarly situated,

Plaintiffs,

v.

ASTRA USA, INC., ASTRA ZENECA
PHARMACEUTICALS LP, EVENTS
PHARMACEUTICALS, INC., BAYER
CORPORATION, BRISTOL-MYERS SQUIBB
COMPANY, PFIZER, INC.,
SCHERING-PLOUGH CORPORATION TAP
PHARMACEUTICAL PRODUCTS, INC.,
ZENECCA, INC., ZLB BEHRING LLC,
SMITHKLINE BEECHAM CORPORATION,
SMITHKLINE BEECHAM CORPORATION
d/b/a GLAXO SMITHKLINE, WYETH, INC.,
WYETH PHARMACEUTICALS, INC.,

Defendants.

No. C 05-03740 WHA

**ORDER DENYING
PLAINTIFFS' MOTION TO
SEAL THEIR RESPONSE
TO DEFENDANT AVENTIS'S
OBJECTIONS TO
PLAINTIFFS' DESIGNATION
OF AMBIEN FOR
INTERROGATORY
RESPONSES**

Defendant Aventis recently objected to the designation of Ambien by plaintiffs as the product about which defendant Aventis would have to answer two court-ordered interrogatories (Dkt. No. 685). Plaintiffs were granted leave to respond, and, in so doing, they concurrently filed a motion to file their response, and two exhibits to their supporting declaration, under seal (Dkt. No. 687).

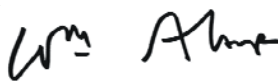
Plaintiffs filed their motion without narrowly tailoring their request to seal portions of their response in accordance with Civil Local Rule 79-5(a). Furthermore, according to the declaration submitted in support of plaintiffs' motion, the documents at issue include testimony

1 and documents that *defendants* designated as confidential or highly confidential. Defendants
2 have not filed a declaration establishing that the designated information is sealable, or withdrawn
3 the designation of confidentiality, in compliance with Civil Local Rule 79-5(d).

4 Plaintiffs' motion is therefore **DENIED**. Plaintiffs must make their response and
5 supporting documents part of the public record.

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7 **IT IS SO ORDERED.**

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9 Dated: August 23, 2010.

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12 WILLIAM ALSUP
13 UNITED STATES DISTRICT JUDGE
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