

1 BINGHAM McCUTCHEM LLP
 2 Donn P. Pickett (SBN 72257)
 3 donn.pickett@bingham.com
 4 Mary T. Huser (SBN 136051)
 5 mary.huser@bingham.com
 6 Three Embarcadero Center
 7 San Francisco, CA 94111-4067
 8 Telephone: (415) 393-2000
 9 Facsimile: (415) 393-2286

10 Marshall B. Grossman (SBN 35958)
 11 marshall.grossman@bingham.com
 12 William J. O'Brien (SBN 99526)
 13 william.obrien@bingham.com
 14 The Water Garden
 15 1620 26th Street
 16 Fourth Floor, North Tower
 17 Santa Monica, CA 90404-4060
 18 Telephone: (310) 907-1000
 19 Facsimile: (310) 907-2000

20 Attorneys for Defendant and Counterclaimant,
 21 BLOCKBUSTER INC.

22 UNITED STATES DISTRICT COURT
 23 NORTHERN DISTRICT OF CALIFORNIA

24 NETFLIX, INC, a Delaware corporation

25 Plaintiff,

26 v.

27 BLOCKBUSTER INC., a Delaware corporation,
 28 DOES 1-50,

Defendant.

Case No. C 06 2361 WHA (JCS)

**[PROPOSED] ORDER GRANTING
 BLOCKBUSTER'S ADMINISTRATIVE
 REQUEST TO FILE UNDER SEAL**

Hearing Date: August 2, 2007
 Time: 8:00 a.m.
 Courtroom: 9, 19th Floor
 Judge: Hon. William H. Alsup

Complaint Filed: April 4, 2006
 Trial Date: September 17, 2007

AND RELATED COUNTERCLAIMS

1 The Court considered Blockbuster's Administrative Request to File Under Seal. For
2 good cause appearing:

3 IT IS HEREBY ORDERED that the Administrative Request is GRANTED. Therefore,
4 the following documents shall be filed under seal:

5 1. Portions of Exhibit E to the Declaration of William J. O'Brien In Support
6 Of Blockbuster's Motion for Summary Judgment of Invalidity and Non-Infringement ("O'Brien
7 Decl."), containing excerpts from the deposition transcript of Neil Hunt taken on March 23,
8 2007.

9 2. Exhibit K to the O'Brien Decl., containing excerpts from the deposition
10 transcript of Tom Adams taken on June 1, 2007.

11 3. Exhibit S to the O'Brien Decl., containing excerpts from the deposition
12 transcript of Shane Evangelist taken on April 17, 2007.

13 4. The Declaration of J.W. Craft In Support Of Blockbuster's Motion for
14 Summary Judgment of Invalidity and Non-Infringement.

15 5. Blockbuster describes the contents of the above listed deposition
16 testimony and documents in its Motion for Summary Judgment of Invalidity and Non-
17 Infringement, and therefore requests that the Court file those portions of the Motion, at pages 1,
18 5, 9, 11-21, 23-29, under seal as well.

19 IT IS SO ORDERED.

20 DATED: June __, 2007

21
22 _____
23 HON. WILLIAM H. ALSUP
24 United States District Court Judge
25
26
27
28