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AGA MEDICAL CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MEDTRONIC, INC., a Minnesota corporation,
MEDTRONIC USA INC., a Minnesota
corporation, and MEDTRONIC VASCULAR,
INC., a Delaware corporation,

Plaintiffs,

v.

AGA MEDICAL CORPORATION, a
Minnesota corporation,

Defendant.

Case No.: 3:07-cv-00567-MMC (EMC)

**~~PROPOSED~~ ORDER GRANTING
AGA'S ADMINISTRATIVE MOTION
TO FILE DOCUMENTS ISO REPLY
FOR MOTION FOR LEAVE TO AMEND
ITS ANSWER UNDER SEAL**

Date: February 20, 2009
Time: 9:00 a.m.
Dept.: Courtroom 7, 19th Floor
Judge: Maxine M. Chesney

1 The Court has received Defendant AGA Medical Corporation's Administrative Motion to
2 File Papers in Support of Its Reply ISO Its Motion for Leave to Amend Its Answer Under Seal,
3 filed February 6, 2009. Good cause appearing, the motion is
4 GRANTED.


5 It is hereby ORDERED that the following documents be filed under seal:

- 6 The unredacted version of in support of
7 • ~~Portions of pages 1, 5, 6, 7, 8, 9, 10 and 12 of~~ AGA's Reply ~~ISO~~ its Motion for
8 Leave to Amend Its Answer and Counterclaims ("Reply");
- 9 • Exhibit A to the Declaration of Steven D. Hemminger in Support of AGA's
10 Reply in Support of Its Motion for Leave to Its Amend ("Hemminger Decl."),
11 which contains excerpts from the Deposition of David Adams of December 9,
12 2008, which Plaintiffs designated as "Highly Confidential" pursuant to the
13 protective order in this case;
- 14 • Exhibit D to the Hemminger Decl., which contains excerpts from the Deposition
15 of Jonathan C. Morris of November 25, 2008, which Plaintiffs designated as
16 "Highly Confidential" pursuant to the protective order in this case;
- 17 • Exhibit E to the Hemminger Decl., which is the Expert Report of Dr. Thomas
18 Duerig Pursuant to Fed. R. Civ. P. 26(a)(2)(B), served on Medtronic on January
19 23, 2009, which Defendant designated as "Highly Confidential" pursuant to the
20 protective order in this case.
- 21 • Exhibit G to the Hemminger Decl., which is the Expert Report of Dr. Kaushik
22 Bhattacharya Pursuant to Fed. R. Civ. P. 26(a)(2)(B), served on Medtronic on
23 January 23, 2009, which Defendant designated as "Highly Confidential"
24 pursuant to the protective order in this case.
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- Exhibit H to the Hemminger Decl., which is Medtronic's Index of Privileged Documents of November 19, 2008, which Plaintiffs designated as "Confidential" pursuant to the protective order in this case;
- Exhibit J to the Hemminger Decl., which contains excerpts from the Deposition of David Adams of February 3, 2009, which Plaintiffs designated as "Highly Confidential" pursuant to the protective order in this case;
- Exhibit K to the Hemminger Decl., which Plaintiffs produced documents M-AGA 243004, which Medtronic designated as "Confidential" pursuant to the protective order in this case; and
- Exhibit L to the Hemminger Decl., which is the Expert Report of Dr. Valentina Imbeni Pursuant to Fed. R. Civ. P. 26(a)(2)(B), served on Medtronic on January 23, 2009, which Defendant designated as "Highly Confidential" pursuant to the protective order in this case.

IT IS HEREBY ORDERED that the above-listed documents shall be filed under seal.

Dated: February 17, 2009


The Honorable Maxine M. Cheney
United States District Judge
For the Northern District of California