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17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 MEDTRONIC, INC., a Minnesota corporation,
21 MEDTRONIC USA, INC., a Minnesota
corporation, and MEDTRONIC VASCULAR,
22 INC., a Delaware corporation,

23 Plaintiffs,

24 v.

25 AGA MEDICAL CORPORATION, a
26 Minnesota corporation,

27 Defendant.

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

**~~[PROPOSED]~~ ORDER GRANTING AGA'S
ADMINISTRATIVE REQUEST TO FILE
DOCUMENTS UNDER SEAL ISO ITS
MOTION TO BIFURCATE TRIAL INTO
TWO PHASES AND MOTION TO
EXCLUDE AS UNRELIABLE THE
TESTIMONY AND OPINIONS OF
ROBERT SINCLAIR REGARDING
STRESS-INDUCED MARTENSITE**

1 Before this Court is AGA's Administrative Request to File Documents Under Seal In
2 Support of its Motion to Bifurcate Trial into Two Phases and Motion to Exclude as Unreliable the
3 Testimony of Robert Sinclair Regarding Stress-Induced Martensite, filed May 15, 2009. Having
4 considered AGA's Motion and the accompanying declaration, and good cause appearing, the Court
5 hereby GRANTS AGA's Motion.

6 The unredacted version
~~Portions of pages 4, 5, 11, 15, 17, 18, 22, and 23~~ of AGA's Motion to Exclude as Unreliable
7 the Testimony and Opinions of Robert Sinclair Regarding Stress-Induced Martensite, the
8 *Declaration of Prof. Kaushik Bhattacharya In Support of AGA's Motion to Exclude as Unreliable*
9 *the Testimony and Opinions of Robert Sinclair Regarding Stress-Induced Martensite* and Exhibits 2,
10 3, 4, 8, 11, and 12 to the *Declaration of Lance A. Lawson In Support of AGA's Motion to Bifurcate*
11 *Trial into Two Phases and Motion to Exclude as Unreliable the Testimony and Opinions of Robert*
12 *Sinclair Regarding Stress-Induced Martensite* will be filed under seal.

13 IT IS SO ORDERED.

14
15 Dated: May 21, _____, 2009


HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE