

1 TOWNSEND AND TOWNSEND AND CREW LLP
GREGORY S. GILCHRIST (State Bar No. 111536)
2 GIA L. CINCONI (State Bar No. 141668)
RAQUEL PACHECO (State Bar No. 245328)
3 Two Embarcadero Center, Eighth Floor
San Francisco, California 94111
4 Telephone: (415) 576-0200
Facsimile: (415) 576-0300
5 gsgilchrist@townsend.com; glcincone@townsend.com

6 Attorneys for Plaintiff/Counterdefendant
LEVI STRAUSS & CO.

8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 LEVI STRAUSS & CO.,

12 Plaintiff,

13 v.

14 ESPRIT US DISTRIBUTION LTD., et al.,

15 Defendants.

16 ESPRIT US DISTRIBUTION LTD. and ESPRIT
17 INTERNATIONAL,

18 Defendants/Counterclaimants,

19 v.

20 LEVI STRAUSS & CO.,

21 Plaintiff/Counterdefendant.

Case No. C 07-0910 SI

**STIPULATION AND
[PROPOSED] ORDER TO FILE
DOCUMENTS UNDER SEAL**

**DATE: October 10, 2008
TIME: 9:00 a.m.
COURTROOM: 10, 19th Floor**

1 Pursuant to this Court's standing order, plaintiff Levi Strauss & Co. ("LS&CO.") and
2 defendants Esprit US Distribution Ltd. and Esprit International hereby stipulate to the filing under seal
3 of portions of the Declaration of Gia L. Cincone in Opposition to Motion of Defendants Esprit US
4 Distribution, Ltd. and Esprit International For Partial Summary Judgment.

5 Paragraphs 3-6 of the Cincone Declaration set forth some of the terms of a prior settlement
6 agreement between the parties that by its terms is confidential. The entire agreement is attached as
7 Exhibit D to LS&CO.'s First Amended Complaint in this action (Docket No. 70), which this Court
8 previously permitted to be filed under seal. Due to the fact that the declaration includes discussions of
9 and references to the terms of the confidential agreement, the parties request that the specified
10 paragraphs of the declaration be filed under seal. A proposed order to this effect appears below.

11 DATED: September 19, 2008

Respectfully submitted,

12 By: /s/ Gia L. Cincone
13 Gia L. Cincone
14 TOWNSEND AND TOWNSEND AND CREW LLP
15 Attorneys for Plaintiff
LEVI STRAUSS & CO.

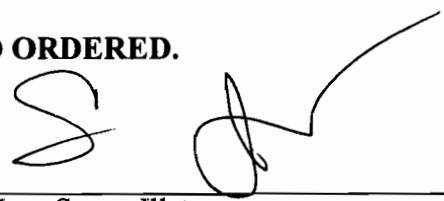
16 DATED: September 19, 2008

By: /s/ Rachel R. Davidson
17 Rachel R. Davidson
18 K&L GATES

19 Attorneys for Defendants
ESPRIT US DISTRIBUTION, LTD. and
ESPRIT INTERNATIONAL

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21 Dated: 9/29/08

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23 _____
24 Hon. Susan Illston