United States District Court

For the Northern District of California

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6   IN THE UNITED STATES DISTRICT COURT

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8   FOR THE NORTHERN DISTRICT OF CALIFORNIA

9   CLARKE AND REBECCA WIXON, et al.,

10   Plaintiffs,   No. C 07-02361 JSW

11   v.   **ORDER TO SHOW CAUSE RE**
                                                     THIRD AMENDED COMPLAINT
12   TRENDWEST RESORTS INC, et al.,

13   Defendants.
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15   On August 29, 2008, Plaintiffs filed a motion to file portions of their Third Amended

16   Complaint under seal. (Docket No. 146.) On September 2, 2008, Plaintiffs filed a redacted

17   version of their Third Amended Complaint. (Docket No. 147.) On September 8, 2008,

18   Defendants filed responses to Plaintiffs' motion to seal. (Docket Nos. 154, 156.) On

19   September 9, 2008, the Court issued an Order, in which it denied Plaintiffs' motion as to certain

20   portions of the Third Amended Complaint based on Defendants lack of opposition to filing

21   those portions in the public record. The Court also denied without prejudice the request as to

22   paragraphs 116 and 117 of the Third Amended Complaint pending a further showing from the

23   Defendants that the redacted portion was confidential material. (Docket No. 158.)

24   Defendants, to date, have not made such a showing. Accordingly, Defendants are

25   HEREBY ORDERED to show cause why the redacted portions of paragraphs 116 and 117

26   should not be filed in the public record. Defendants' response is due by no later than September
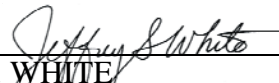
27   16, 2009.

28   Based upon the Court's review of the docket, it appears that Plaintiffs did not file a

version of the Third Amended Complaint which comports with the Court's Order dated

September 9, 2008. Accordingly, it is FURTHER ORDERED that Plaintiffs shall file a version

of the Third Amended Complaint in the public record that is in accordance with the Court's

ruling dated September 9, 2008.

IT IS SO ORDERED.

Dated: September 11, 2009

JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE