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8 UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 VNUS MEDICAL TECHNOLOGIES, INC.,) 12) Plaintiff,) 13) v.) 14) BIOLITEC, INC., DORNIER MEDTECH) 15 AMERICA, INC., and NEW STAR LASERS,) INC. d/b/a COOLTOUCH, INC.,) 16) Defendants.) 17)	LEAD CASE NO. C08-03129 MMC CASE NO. C08-03129 MMC PROPOSED ORDER GRANTING IN PART AND DENYING IN PART MOTION FOR ADMINISTRATIVE RELIEF TO FILE DOCUMENTS UNDER SEAL
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18) 19 VNUS MEDICAL TECHNOLOGIES, INC.,)) Plaintiff,) 20) v.) 21) 22 TOTAL VEIN SOLUTIONS, LLC d/b/a) TOTAL VEIN SYSTEMS,) 23) Defendant.) 24) 25) 26)	CASE NO. C08-04234 MMC (consolidated with Lead Case No. C08-03129 MMC)
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1 Before the Court is Defendants' Motion for Administrative Relief to File Documents Under
2 Seal, dated July 13, 2009, by which Defendants seek leave to file under seal unredacted versions of
3 certain documents submitted in connection with their Joint Claim Construction Brief.

4 Having reviewed Plaintiff's submission of the Declaration of Mark Kertz Pursuant to Civil
5 Local Rule 79-5(d) and good cause appearing, the Court rules as follows:

6 1. The motion is GRANTED in part, specifically, as to the following documents that
7 Plaintiff has shown contain material properly filed under seal, (see Kertz Decl., filed July 20,
8 2009):

9 (a) Exhibits E (pages bates-stamped VNUS_014109-11 only), G, H, AA, and II
10 to the Declaration of Charles T. Steenburg in Support of Defendants' Joint
11 Claim Construction Brief; and

12 (b) Pages 2 (lines 19-20 only), 11 and 14 of Defendants' Joint Claim
13 Construction Brief.

14 2. The motion is DENIED in part, specifically, as to the following materials, in light of
15 Plaintiff's having withdrawn its prior designation of confidentiality:

16 (a) Exhibits F, I, W, Y;

17 (b) The page bates-stamped VNUS_014112 of Exhibit E;


18 (c) Pages 12, 15-16, and 21 of Defendants' Joint Claim Construction Brief;

19 (d) Line 18 and footnote 4 only from page 2 of Defendants' Joint Claim
20 Construction Brief.

21 3. No later than August 7, 2009, defendants shall file in the public record the material
22 identified above in 2(a) - (d).

23 IT IS SO ORDERED.

24 Dated: July 31 __, 2009

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26 Hon. Maxine M. Chesney
27 Judge, United States District Court
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