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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TYCO HEALTHCARE GROUP LP d/b/a
VNUS MEDICAL TECHNOLOGIES,

Plaintiff

v.

BIOLITEC, INC., et al.,

Defendant

No. 08-3129 MMC

**ORDER DENYING PLAINTIFF'S
AUGUST 30, 2010 MOTION FOR
ADMINISTRATIVE RELIEF TO FILE
DOCUMENTS UNDER SEAL;
DIRECTIONS TO PLAINTIFF**

Before the Court is plaintiff's Motion for Administrative Relief to File Documents Under Seal, filed August 30, 2010, by which plaintiff seeks leave to file under seal certain documents designated by defendants and/or by former defendant Dornier MedTech America, Inc. Having read and considered the administrative request, the Court rules as follows.

Under the Local Rules of this District, where a party seeks to file under seal any material designated as confidential by another party, the submitting party must file a motion for a sealing order. See Civil L.R. 79-5(d). "Within 7 days thereafter, the designating party must file with the Court and serve a declaration establishing that the designated information is sealable, and must lodge and serve a narrowly tailored proposed sealing order, or must withdraw the designation of confidentiality." Id. "If the designating party does not file its

1 responsive declaration as required by this subsection, the document or proposed filing will
2 be made part of the public record.” Id.

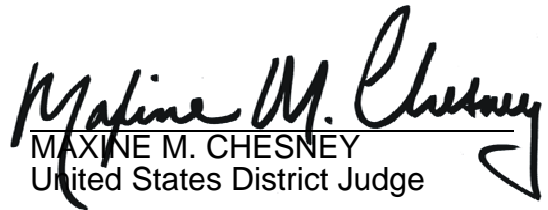
3 Here, none of the designating parties has filed a responsive declaration within the
4 requisite time.

5 Accordingly, plaintiff’s motion for administrative relief is hereby DENIED.

6 Plaintiff is hereby DIRECTED to file in the public record, no later than September 14,
7 2010, unredacted versions of the following documents: (1) Exhibits 4 and 13 to the
8 Declaration of Jeremy Brodsky in Support of Plaintiff’s Notice of Motion and Brief in Support
9 of its Motion in Limine No. 1; and (2) Plaintiff’s Notice of Motion and Brief in Support of its
10 Motion in Limine No. 1.

11 **IT IS SO ORDERED.**

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13 Dated: September 10, 2010

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MAXINE M. CHESNEY
United States District Judge