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9 UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 10
 SAN FRANCISCO DIVISION
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12 TYCO HEALTHCARE GROUP LP d/b/a
 VNUS MEDICAL TECHNOLOGIES,
 13
 Plaintiff,
 14
 v.
 15 BIOLITEC, INC., DORNIER MEDTECH
 AMERICA, INC., and NEW STAR LASERS,
 16 INC. d/b/a COOLTOUCH, INC.,
 17
 Defendants.
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LEAD CASE NO. C08-03129 MMC
 CASE NO. C08-03129 MMC
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)
)
) ~~PROPOSED~~ ORDER GRANTING
) IN PART AND DENYING IN PART
)
) **PLAINTIFF’S MOTION FOR**
) **ADMINISTRATIVE RELIEF TO FILE**
) **DOCUMENTS UNDER SEAL; VACATING**
) **SEPTEMBER 10, 2010 ORDER [DOCUMENT**
) **NO. 305]**
) **[CIVIL LOCAL RULES 7-11, 79-5]**
)

20 TYCO HEALTHCARE GROUP LP d/b/a
 VNUS MEDICAL TECHNOLOGIES,
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 Plaintiff,
 22
 v.
 23 TOTAL VEIN SOLUTIONS, LLC d/b/a
 24 TOTAL VEIN SYSTEMS,
 25
 Defendant.
 26
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CASE NO. C08-04234 MMC
 (consolidated with C08-3129 MMC)
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1 Before the Court is the Plaintiff's Motion for Administrative Relief to File Documents
2 Under Seal dated August 30, 2010, by which Plaintiff seeks leave to file under seal unredacted
3 versions of certain documents submitted in support of Plaintiff's Notice of Motion and Brief in
4 Support of its Motion *in Limine* No. 1 to Exclude Testimony and the Use of Prior Testimony
5 Regarding Certain Alleged Uses by Drs. Bush, Mercier and Dunne. Having reviewed the
6 submissions filed in support of the motion, the Court rules as follows:

7 1. The motion is GRANTED as to the following documents that ~~the parties or former~~
8 party Dornier MedTech America, Inc. ("Dornier") ~~have~~ ^{has} shown contain material properly filed
9 under seal, each of which the requesting party is directed to file under seal, no later than ~~five~~
10 ~~calendar days from the date of this order:~~ ¹ September 21, 2010

11 Pages 71-75

- 12 • ~~Designated portions~~ of Exhibit 4 to the Declaration of Jeremy Brodsky in Support of
13 Plaintiff's Notice of Motion and Brief in Support of its Motion *in Limine* No. 1 to
14 Exclude Testimony and the Use of Prior Testimony Regarding Certain Alleged Uses
15 by Drs. Bush, Mercier and Dunne, which have been designated by Dornier.
- 16 • Designated portions of Plaintiff's Notice of Motion and Brief in Support of its
17 Motion *in Limine* No. 1 to Exclude Testimony and the Use of Prior Testimony
18 Regarding Certain Alleged Uses by Drs. Bush, Mercier and Dunne, dated August
19 30, 2010, which reflect confidential information of ~~Defendants and~~ Dornier.

20 2. The motion is DENIED as to Exhibit 13 to the Declaration of Jeremy Brodsky
21 (excerpts from deposition of Jose I. Almeida, M.D.), and any page of Exhibit 4 other than those
22 identified above; plaintiff is DIRECTED to file said documents in the public record no later than
23 September 21, 2010.

24 3. The Court's September 10, 2010 order [Document No. 305] is vacated.

25 4. Plaintiff's motion requesting that Document Nos. 307 and 308 be removed from the
26 public docket is GRANTED.

27 IT IS SO ORDERED.

28 Dated: September 15 2010



HON. MAXINE M. CHESNEY
United States District Judge

¹ Dornier's showing was made after the Court issued its order of September 10, 2010.