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

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

13 Plaintiff,

14 v.

15 BIOLITEC, INC. and NEW STAR LASERS,  
 16 INC. d/b/a COOLTOUCH, INC.,

17 Defendants.

LEAD CASE NO. C08-03129 MMC

CASE NO. C08-03129 MMC

~~PROPOSED~~ ORDER GRANTING  
 IN PART AND DENYING IN PART  
 PLAINTIFF'S MOTION FOR  
 ADMINISTRATIVE RELIEF TO FILE  
 DOCUMENTS UNDER SEAL

[CIVIL LOCAL RULES 7-11, 79-5]

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

21 Plaintiff,

22 v.

23 TOTAL VEIN SOLUTIONS, LLC d/b/a  
 24 TOTAL VEIN SYSTEMS,

25 Defendant.

CASE NO. C08-04234 MMC  
 (consolidated with C08-3129 MMC)

1 Before the Court is the Plaintiff's Motion for Administrative Relief to File Documents  
2 Under Seal dated September 7, 2010, by which Plaintiff seeks leave to file under seal unredacted  
3 versions of certain documents submitted in support of Plaintiff's Opposition to Defendants' Motion  
4 *in Limine* No. 1 and Omnibus Opposition and Response to Defendants' Motions *in Limine* Nos. 2-7  
5 ("VNUS's Opposition Briefs"). Having reviewed the parties' submissions filed in support of the  
6 motion, the Court rules as follows:

7 1. The motion is GRANTED as to the following documents that the parties have  
8 shown contain material properly filed under seal, each of which the requesting party is directed to  
9 file under seal, no later than <sup>October 4, 2010</sup> ~~five calendar days from the date of this order~~. See General Order 62  
10 ("If a motion to file under seal is granted in full or in part, the requesting party will e-file the  
11 document according to the procedure outlined in the FAQs on the ECF website."):

- 12 • The entirety of Exhibits 34 and 35 and designated portions of Exhibits 5 (page 63),  
13 14 (page 34), 18 (Ex. A, pages 5-6), 20 (page 2), 26 (pages 13, 40-42, 45), 28 (pages  
14 4-7), 30 (pages 195-96, 199-200), and 31 (pages 2-3, 5, 10, 12-15, 20) to the  
15 Declaration of Diem-Suong T. Nguyen in Support of VNUS's Opposition Briefs  
16 which contain information that has been designated by VNUS.  
17 Designated portions of Exhibit 26 (pages 45-46)
- 18 • ~~The entirety of Exhibits 1, 3, 9, 13, 22, 26, 29, 30, 32, 33, 38, and 39 and designated~~  
19 ~~portions of Exhibits 4 (pages 73, 95), 5 (pages 56, 64), 14 (page 39), and 28 (pages~~  
20 ~~2, 3) to the Declaration of Diem-Suong T. Nguyen in Support of VNUS's~~  
21 ~~Opposition Briefs which contain information that has been designated by the~~  
22 ~~Defendants.~~ defendant Total Vein Solutions, LLC.
- 23 • Designated portions of VNUS's Opposition Briefs, dated September 7, 2010,  
24 specifically, those portions in which the content of the above-referenced  
25 exhibits or portions thereof are discussed.

26 2. The motion is DENIED as to Exhibits 1, 3, 4 (pages 73, 95), 5 (pages 56, 64), 9, 13,  
27 14 (page 39), 22, 28 (pages 2-3), 29, 30 (pages 101-102, 104, 217-219, 260-262), 32, 33, 38, and  
28 39 to the Declaration of Diem-Suong T. Nguyen, for the reason that no party has filed a declaration  
to show that any such exhibit, or portion thereof, is properly filed under seal. See Civil Local Rule  
79-5(d). Plaintiff is DIRECTED to file such exhibits in the public record no later than October 4,  
2010.

IT IS SO ORDERED.

Dated: September 28, 2010

  
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HON. MAXINE M. CHESNEY  
United States District Judge