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16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION
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20 SECURITIES AND EXCHANGE COMMISSION,
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22 Plaintiff,
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24 vs.
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26 RAJ P. SABHLOK and MICHAEL PATTISON,
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28 Defendants.
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Civil Action No. C-08-4238 CRB (JL)

~~PROPOSED~~ ORDER DENYING
DEFENDANT'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL AND
EXCLUDING PROPOSED TESTIMONY OF
DEFENDANT'S RETAINED EXPERT
RICHARD J. OSTILLER

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2 This matter came before the Court on defendant's Michael C. Pattison's Administrative
3 Motion to File Under Seal Portions of Offer of Proof re Richard J. Ostiller. Defendant's
4 administrative motion follows the Pretrial Conference, held on February 4, 2010, at which the
5 Court heard and considered the parties' motions in limine. The administrative motion to seal also
6 follow defendant's motion for an offer of proof, which the Court heard on March 19, 2010.

7 The Court, having considered the papers filed in support of the administrative motion to
8 seal, the opposition of plaintiff Securities and Exchange Commission, as well as plaintiff's Motion
9 in Limine No. 1 and defendant's opposition, hereby DENIES defendant's administrative motion to
10 file under seal. The Court further ORDERS that the written direct testimony of defendant's
11 retained expert, Richard J. Ostiller, is hereby stricken and that Mr. Ostiller shall be precluded from
12 testifying at trial based on defendant's failure to comply with the Court's pretrial Order and for the
13 reasons cited in plaintiff's Motion in Limine No. 1. CRB

14 **IT IS SO ORDERED.**

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16 DATED: March 31, 2010

