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 11 Relief Claim Defendants

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 REALNETWORKS, INC., et al.,
 15 Plaintiffs,
 16 vs.
 17 DVD COPY CONTROL ASSOCIATION,
 18 INC., et al.,
 19 Defendants.

CASE NO. C 08-4548-MHP

**APPLICATION TO SEAL HIGHLY
 CONFIDENTIAL VERSIONS OF REPLY IN
 SUPPORT OF MOTION PICTURE
 STUDIOS' MOTION *IN LIMINE* TO
 EXCLUDE EVIDENCE AND TESTIMONY
 AND DECLARATION OF KELLY M.
 KLAUS IN SUPPORT OF MOTION
 PICTURE STUDIOS' MOTION *IN LIMINE***

Date: April 24, 2009
 Time: 9:00 a.m.
 Ctrm: 15 (Hon. Marilyn Hall Patel)

22 UNIVERSAL CITY STUDIOS
 PRODUCTIONS LLLP, et al.,
 23 Plaintiffs,
 24 vs.
 25 REALNETWORKS, INC., et al.
 26 Defendants.

CASE NO. C 08-4719-MHP

Lodged concurrently herewith:
 1) [Proposed] Order Granting Application
 2) Document Requested To Be Filed Under Seal

1 Pursuant to Civil Local Rule 7-11 and 79-5, Columbia Pictures Industries, Inc., Disney
2 Enterprises, Inc., NBC Universal, Inc., Paramount Pictures Corporation, Sony Pictures
3 Entertainment, Inc., Sony Pictures Television, Inc., Twentieth Century Fox Film Corporation,
4 Universal City Studios LLLP, Universal City Studios Productions LLLP, Viacom, Inc., Walt
5 Disney Pictures, and Warner Bros. Entertainment, Inc. (collectively, “the Studios”) respectfully
6 apply for an order sealing the highly confidential versions of the following documents:

7 (1) Reply in Support of Motion Picture Studios’ Motion *In Limine* to Exclude
8 Evidence and Testimony;

9 (2) Declaration of Kelly M. Klaus in Support of Motion Picture Studios’ Reply
10 in Support of Motion *In Limine* to Exclude Evidence and Testimony.

11 A “compelling reason” exists to seal these documents. See *Kamakana v. City and County*
12 *of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (holding that “[a] party seeking to seal a
13 judicial record . . . bears the burden of overcoming the ‘compelling reasons’ standard”); *Foltz v.*
14 *State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135-36 (9th Cir. 2003). The confidential
15 material at issue divulges aspects of the Studios’ and Real’s proprietary business, technical,
16 and/or trade secret information. This material has been designated by the Studios and Real as
17 “confidential” pursuant to the protective order governing this litigation, and is thus being
18 manually filed under seal.

19 This Application to Seal is narrowly tailored to protect the public’s interest in access to
20 judicial records and the public policies favoring disclosure. *Kamakana*, 447 F.3d at 1178. The
21 Studios have filed with the Court public redacted versions of the aforementioned documents.

22 For these reasons, the Court should grant the Application to Seal.
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DATED: April 23, 2009

MUNGER, TOLLES & OLSON LLP

By: /s/ Jonathan H. Blavin
 JONATHAN H. BLAVIN

Attorneys for Studio Defendants/Counterclaim-
Plaintiffs/Plaintiffs