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11 Attorneys for Motion Picture Studio Plaintiffs/Declaratory
 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 VERSION OF
 [PROPOSED] FINDINGS OF FACT AND
 CONCLUSIONS OF LAW SUBMITTED BY
 MOTION PICTURE STUDIO PLAINTIFFS**

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

20
 21 UNIVERSAL CITY STUDIOS
 PRODUCTIONS LLLP, et al.,
 22 Plaintiffs,
 23 vs.
 24 REALNETWORKS, INC., et al.
 25 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 version of the following document:

7 (1) [Proposed] Findings of Fact and Conclusions of Law Submitted by Motion
 8 Picture Studio Plaintiffs.

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

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

20 For these reasons, the Court should grant the Application to Seal.

21
 22 DATED: May 15, 2009

MUNGER, TOLLES & OLSON LLP

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

26 Attorneys for Studio Defendants/Counterclaim-
 27 Plaintiffs/Plaintiffs
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