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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TREND MICRO CORPORATION,

No. C 10-02248 WHA

Plaintiff,

v.

**ORDER RE PENDING
MOTIONS TO FILE
EXHIBITS UNDER SEAL**

WHITECELL SOFTWARE, INC., and
FORTINET, INC.

Defendant.

The parties are reminded that no document may be filed under seal without an order. Civ. Loc. Rule 79-5(a). The following administrative motions to file documents under seal have not been granted: (1) Trend Micro's administrative motion to file under seal exhibits B-F and K-N to the Bright declaration (Dkt. No. 53); and (2) Fortinet's administrative motion to file under seal exhibit A to the Nelson supplemental declaration (Dkt. No. 55). All of these exhibits allegedly include Fortinet's confidential information.


The pending motions to file exhibits under seal cannot be granted at this time, because they are not narrowly drawn to include only sealable material. Fortinet may file one more set of supporting declarations that specifically identify which portions of these documents it believes are sealable and why. Where applicable, along with the declarations, Fortinet should submit proposed redacted versions of the documents for filing in the public record. These supplemental declarations must be filed by **NOON ON FEBRUARY 14, 2011**. This will be Fortinet's last chance.

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If no declaration is timely filed, then exhibits B–F and K–N to the Bright declaration and exhibit A to the Nelson supplemental declaration shall be filed in the public record. The reason for this approach is that, one way or another, sealed or unsealed, a complete record must be made.

IT IS SO ORDERED.

Dated: February 10, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE