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2
3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA

5 IMPLICIT NETWORKS, INC.,

No. C 10-04234 SI

6 Plaintiff,

**ORDER RE PARTIES' STIPULATION
TO FILE UNDER SEAL**

7 v.

8 JUNIPER NETWORKS, INC.,

9 Defendant.
10 _____/

11
12 Currently before the Court is the parties' stipulation to file under seal portions of Juniper's
13 Motion for Summary Judgment and Exhibits in support thereof. Docket No. 165. While the stipulation
14 provides some explanation of the reasons why Juniper seeks to seal the material at issue, no declaration
15 in support of sealing has been filed. *See generally* Civil Local Rule 79-5.

16 Within **five days** of the date of this Order, Juniper shall file a declaration identifying with
17 specificity each document, page, or line of document Juniper wishes to file under seal and providing
18 "compelling" reasons to justify the proposed sealing. *See, e.g., In re Midland Nat'l Life Ins. Co Annuity*
19 *Sales Practices Litig. v. Allianz Life Ins. Co. of N. Am.*, 686 F.3d 1115, 1119-20 (9th Cir. 2012) (party
20 seeking to seal information submitted in conjunction with summary judgment motion must show
21 compelling reasons that override the public policies favoring disclosure). With respect to information
22 identifying Juniper's clients and/or the products those clients purchased, Juniper must declare that the
23 customer information is not already publicly known and explain how the mere identification of Juniper's
24 clients and/or the products they purchased could create a security concern significant enough to justify
25 sealing the material at issue.

26 **IT IS SO ORDERED.**

27 Dated: November 13, 2012



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SUSAN ILLSTON
United States District Judge