

United States District Court
For the Northern District of California

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

PROCONGPS, INC.,

No. 11-3975 SI

Plaintiff,

**ORDER RE: ADMINISTRATIVE
MOTION TO FILE UNDER SEAL**

v.

SKYPATROL, LLC, et al.,

Defendants.

On March 22, 2013, plaintiff Spireon, Inc. (formerly ProconGPS) filed an administrative motion to file under seal its Motion for Leave to Provide Infringement Charts and/or Amend Its Infringement Contentions Against Defendant Skypatrol (“Motion for Leave”) along with Exhibits 11-13, 17, and 19 of the Declaration of David A. Caine in Support of Plaintiff’s Motion (“Caine Decl.”). Spireon filed the Declaration of Michael D.K. Nguyen (a Spireon lawyer) in support of its motion to seal. The Declaration of Eric C. Pai (a Skypatrol lawyer) was also filed “in partial” support of the motion.

Spireon asserts that these documents refer to information designated confidential by defendant Skypatrol, LLC (Exhibits 11-13, and Exhibits A and B to Exhibit 17, which refer to Exhibits 11-13) and/or confidential information of Spireon or non-party Bertram Capital Management, LLC (other portions of Exhibit 17 as well as portions of Exhibit 19). *See* Declaration of Michael D.K. Nguyen, Docket No. 140-1.

Defendant Skypatrol does not seek to file the entire motion under seal, as plaintiff requests, but seeks to protect confidential information in Exhibits 11 and 12, as well as Exhibits A and B to Exhibit 17 to the Caine declaration. Skypatrol does not seek to file Exhibit 13 under seal, as represented in Plaintiff’s Motion. *See* Declaration of Eric C. Pai, Docket No. 145.

1 The Court concludes that Plaintiff may file the following under seal : (1) Exhibits 11-12, (2)
2 Exhibits A and B of Exhibit 17, as well as the portion of Exhibit 17 from page 13, line 27 to page 14,
3 line 18, and (3) portions of Caine Decl. Ex. 19 in the final paragraph of page 2 beginning after “aware”
4 and ending before “Documents” and beginning after “this” and ending before “are.” The Court denies
5 leave for Plaintiff to file the entire motion under seal. Plaintiffs may redact the portions of the motion
6 that refer to confidential information identified in the above exhibits and portions of exhibits.

7 Accordingly, Plaintiff’s motion is GRANTED in part and DENIED in part.

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9 **IT IS SO ORDERED.**

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11 Dated: April 1, 2013



SUSAN ILLSTON
United States District Judge