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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SURGICAL INSTRUMENT SERVICE
COMPANY, INC., et al.,

Plaintiffs,

v.

INTUITIVE SURGICAL, INC.,

Defendant.

Case No. 21-cv-03496-AMO

OMNIBUS ORDER RE: SEALING

Before the Court are the Parties’ and Third-Parties’ Administrative Motions to Seal, Motions to Consider Sealing Third-Party Materials, Statements in Support of Sealing, Declarations in Support of Sealing, and associated exhibits, at ECF 122, 123, 124, 125, 130, 133, 136, 138, 149, 150, 151, 152, 153, 154, 155, 161, 171, 173, 178. The Court, having carefully considered the submissions, the record, the applicable law, and any arguments related thereto, hereby orders that the Administrative Motions are **GRANTED** in part and **DENIED** in part.

LEGAL STANDARD

Pursuant to Civil Local Rule 79-5, the party seeking to file a document or portions of it under seal must explain “(i) the legitimate private or public interests that warrant sealing; (ii) the injury that will result if sealing is denied; and (iii) why a less restrictive alternative to sealing is not sufficient.” Civil L.R. 79-5(c)(1). The request must be “narrowly tailored to seal only the sealable material.” *Id.* at 79-5(c)(3).

A party seeking to seal records must provide “compelling reasons” to overcome the “strong presumption in favor of access.” *Kamakana v. City & Cty. Of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006); *see Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1096 (9th Cir. 2016). The standard derives from the “common law right ‘to inspect and copy public records

1 and documents, including judicial records and documents.” *Pintos v. Pac. Creditors Ass’n*, 605
2 F.3d 665, 678 (9th Cir. 2010) (quoting *Kamakana*, 447 F.3d at 1178). To overcome this strong
3 presumption, the party seeking to seal judicial records must “articulate compelling reasons
4 supported by specific factual findings . . . that outweigh the general history of access and the
5 public policies favoring disclosure, such as the public interest in understanding the judicial
6 process.” *Kamakana*, 447 F.3d at 1178-79 (citations omitted). The party must make a
7 “particularized showing” that “specific prejudice or harm will result” if the information is
8 disclosed. *Phillips ex rel. Estates of Byrd v. Gen. Motors Corp.*, 307 F.3d 1206, 1210-11 (9th Cir.
9 2002).

10 It is in the “sound discretion of the trial court” to determine what constitutes a “compelling
11 reason” for sealing a court document. *Ctr. for Auto Safety*, 809 F.3d at 1097 (quoting *Nixon v.*
12 *Warner Commc’ns, Inc.*, 435 U.S. 589, 599 (1978)). Compelling reasons justifying sealing court
13 records generally exist when such “court files might . . . become a vehicle for improper purposes”
14 such as “releas[ing] trade secrets,” *Kamakana*, 447 F.3d at 1179, or “as sources of business
15 information that might harm a litigant’s competitive standing,” *Ctr. for Auto Safety*, 809 F.3d at
16 1097; see *In re Elec. Arts, Inc.*, 298 F. App’x 568, 569 (9th Cir. 2008) (sealing trade secret
17 information about “the pricing terms, royalty rates, and guaranteed minimum payment terms” in
18 the parties’ licensing agreement). Records attached to nondispositive motions must meet the
19 lower “good cause” standard of Rule 26(c) of the Federal Rules of Civil Procedure, as such
20 records “are often unrelated, or only tangentially related, to the underlying cause of action.”
21 *Kamakana*, 447 F.3d at 1179-80 (quotations omitted).

22 **DISCUSSION**

23 The Court finds that compelling reasons exist to support the filing under seal of the
24 documents or portions thereof listed as “granted” in the following chart and grants the requests to
25 seal these documents or portions thereof where they appear on the public docket. The Court
26 denies the request to seal any documents or portions thereof (1) listed as “denied” in the following
27 chart or (2) provisionally filed under seal pursuant to Local Rule 79-5(f) because a Party or Third-
28 Party had designated them as confidential or highly confidential under the protective order but that

1 were not included in the below chart because no Party or Third-Party filed a statement or
2 declaration seeking to maintain them under seal pursuant to Local Rule 79-5(f).

3 The Court appreciates the efforts of counsel to prepare the chart below, including citations
4 to the relevant docket entries. The Court notes that, while it grants sealing many of the documents
5 presented at this stage, it will be disinclined to permit sealing of materials presented in a public
6 trial.

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed ¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>ECF No. 125-2 Exhibit A - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 4 (Expert Report of Paul D. Martin, Ph.D.)</p> <ul style="list-style-type: none"> Page 19, redacted portions of ¶ 53 	<p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 4</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-4</p>		<p>GRANTED. Cybersecurity development content.</p>
<p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>ECF No. 125-2 Exhibit A - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 4 (Expert Report of Paul D. Martin, Ph.D.)</p> <ul style="list-style-type: none"> Page 25, redacted portions of ¶ 67 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 4</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-4</p>		<p>GRANTED. Cybersecurity development content.</p>

28 ¹ The docket numbers listed refer to the under seal version of the document at issue that was submitted in unredacted form for the Court’s review.

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Page 11, figure appearing between ¶ 29 and ¶ 30 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 4</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-4</p>		GRANTED. Cybersecurity development content.
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Att. 3, page 20, redacted portions of ¶ 66 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 4</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-4</p>		GRANTED. Cybersecurity development content.
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Att. 3, page 27, redacted portions of ¶ 93 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 4</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-4</p>		GRANTED. Cybersecurity development content.
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Att. 3, page 27, redacted portions of ¶ 95 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 4</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-4</p>		GRANTED. Cybersecurity development content.

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Att. 3, page 27, redacted portions of ¶ 96 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 4</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-4</p>		GRANTED. Cybersecurity development content.
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Att. 3, page 28, redacted portions of ¶ 96 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 4</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-4</p>		GRANTED. Cybersecurity development content.
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Att. 3, page 28, redacted portions of ¶ 97 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 4</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-4</p>		GRANTED. Cybersecurity development content.
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Att. 3, page 28, redacted portions of ¶ 98 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 4</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-4</p>		GRANTED. Cybersecurity development content.

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 125-2 Exhibit A - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 4 (Expert Report of Paul D. Martin, Ph.D.)</p> <ul style="list-style-type: none"> • Page 9, redacted portions of ¶ 24 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 4-5</p>		GRANTED. Proprietary product development content.
<p>ECF No. 125-2 Exhibit A - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 4 (Expert Report of Paul D. Martin, Ph.D.)</p> <ul style="list-style-type: none"> • Page 11, redacted portions of ¶ 31 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 4-5</p>		GRANTED. Proprietary product development content.
<p>ECF No. 125-2 Exhibit A - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 4 (Expert Report of Paul D. Martin, Ph.D.)</p> <ul style="list-style-type: none"> • Redacted portions of pages 26–29 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 4-5</p>		GRANTED. Proprietary product development content.
<p>ECF No. 125-2 Exhibit A - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 4 (Expert Report of Paul D. Martin, Ph.D.)</p> <ul style="list-style-type: none"> • Page 31, redacted portions of ¶ 79 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 4-5</p>		GRANTED. Proprietary product development content.

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 125-4 Exhibit C - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 12 (Expert Rebuttal Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Page 3, redacted portions of ¶ 14 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 4-5</p>		GRANTED. Proprietary product development content.
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Page 5, redacted portions of ¶ 16 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 4-5</p>		GRANTED. Proprietary product development content.
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Page 23-24, redacted portions of ¶ 56 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 4-5</p>		GRANTED. Proprietary product development content.
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Page 24, redacted portions of ¶ 57 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 4-5</p>		GRANTED. Proprietary product development content.

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Page 25, chart appearing prior to ¶ 58 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 4-5</p>		GRANTED. Proprietary product development content.
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Redacted portions of pages 25–27, including charts appearing on Page 25 after ¶ 58 and the chart appearing on page 26 before ¶ 59 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 4-5</p>		GRANTED. Proprietary product development content.
<p>ECF No. 125-3 Exhibit B - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 9 (Expert Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Page 26, redacted portions of ¶ 59 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 4-5</p>		GRANTED. Proprietary product development content.
<p>ECF No. 125-5 Exhibit D - Cahoy Declaration in Support of the Motion to Exclude Kurt Humphrey, Exhibit 10 (Deposition Tr. of Kurt Humphrey)</p> <ul style="list-style-type: none"> Pages 31-32, redacted portions of 116:23-117:22 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 4-5</p>		GRANTED. Proprietary product development content.

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 125-6 Exhibit E - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 8 (Howe 1/18/23 <i>Larkin</i> Rpt)</p> <ul style="list-style-type: none"> Page 28, Figure 6 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5</p>		<p>GRANTED. Proprietary product development content.</p>
<p>ECF No. 125-6 Exhibit E - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 8 (Howe 1/18/23 <i>Larkin</i> Rpt)</p> <ul style="list-style-type: none"> Page 36, Figure 9 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5</p>		<p>GRANTED. Proprietary product development content.</p>
<p>ECF No. 125-6 Exhibit E - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 8 (Howe 1/18/23 <i>Larkin</i> Rpt)</p> <ul style="list-style-type: none"> Page 37, Figure 10 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5</p>		<p>DENIED. Descriptions of surgical maneuvers are not proprietary.</p>
<p>ECF No. 125-6 Exhibit E - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 8 (Howe 1/18/23 <i>Larkin</i> Rpt)</p> <ul style="list-style-type: none"> Page 84, Figure 20 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5</p>		<p>DENIED. Descriptions of surgical maneuvers are not proprietary.</p>

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 125-6 Exhibit E - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 8 (Howe 1/18/23 Larkin Rpt)</p> <ul style="list-style-type: none"> Page 88, Figure 21 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5</p>		<p>GRANTED. Proprietary product development content.</p>
<p>ECF No. 125-6 Exhibit E - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 8 (Howe 1/18/23 Larkin Rpt)</p> <ul style="list-style-type: none"> Page 89, redacted portions of ¶ 174 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5</p>		<p>GRANTED. Proprietary product development content.</p>
<p>ECF No. 125-7 Exhibit F - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 9 (Howe 1/18/23 SIS Rpt)</p> <ul style="list-style-type: none"> Page 29, Figure 6 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5</p>		<p>GRANTED. Proprietary product development content.</p>
<p>ECF No. 125-7 Exhibit F - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 9 (Howe 1/18/23 SIS Rpt)</p> <ul style="list-style-type: none"> Page 37, Figure 9 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5</p>		<p>DENIED. Descriptions of surgical maneuvers are not proprietary.</p>

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 125-7 Exhibit F - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 9 (Howe 1/18/23 SIS Rpt)</p> <ul style="list-style-type: none"> • Page 38, Figure 10 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5</p>		<p>DENIED. Descriptions of surgical maneuvers are not proprietary.</p>
<p>ECF No. 125-12 Exhibit K - Lannin Declaration in Support of the Motion to Exclude Dr. Robert Mahal, Ex. 9 (Howe 1/18/23 SIS Rpt)</p> <ul style="list-style-type: none"> • Page 28, Figure 6 • Page 37, Figure 9 • Page 38, Figure 10 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5</p>		<p>Page 28, Figure 6 GRANTED. Proprietary business information.</p> <p>Page 37, Figure 9 Page 38, Figure 10 DENIED. Descriptions of surgical maneuvers are not proprietary.</p>
<p>ECF No. 125-8 Exhibit G - Lazerow Declaration in Support of the Motion to Exclude Jean Sargent, Ex. 9 (Intuitive-00626597-6616)</p> <ul style="list-style-type: none"> • Page Intuitive-00626611, top row • Page Intuitive-00626611, bottom row • Page Intuitive-00626612, top row • Page Intuitive-00626612, bottom row • Page Intuitive-00626613, top row • Page Intuitive-00626613, bottom row 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 7</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5-6</p>		<p>GRANTED. Non-public financial information.</p>

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<p>ECF No. 125-9 Exhibit H - Bass Declaration in Support of the Motion to Exclude Richard Bero, Ex. 1 (Bero 12/2/22 Report)</p> <ul style="list-style-type: none"> • Schedule 6.0, page 1 of 2: Data A for columns 2014-2022 and for column “2020-2021 decline”; Data D for columns 2023-2025; Data F for columns 2014-2022. • Schedule 8.0, page 1 of 1: Data A for all columns; Data B for all columns. • Schedule 8.1, page 1 of 6: Data A for Units and all columns. • Schedule 8.1, page 2 of 6: Data A for Units, Total units, and all columns. • Schedule 8.1, page 5 of 6: Data C for Net Sales dollars and all columns. • Schedule 8.1, page 6 of 6: Data C for Net Sales dollars, Total net sales dollars, and all columns. • Schedule 8.2, page 1 of 6: Data A for Units and all columns. • Schedule 8.2, page 2 of 6: Data A for Units, Total units, and all columns. • Schedule 8.2, page 5 of 6: Data B for Net Sales dollars and all columns. • Schedule 8.2, page 6 of 6: Data B for Net Sales dollars, Total net sales dollars, and all columns. • Schedule 9.0, page 1 of 2: Data A for all 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 7</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5-6</p>		<p>GRANTED. Non-public financial information.</p>
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<p>columns; Data D for all columns.</p> <ul style="list-style-type: none">• Schedule 9.1, page 1 of 1: Data A labels and for all columns; Data B labels and for all columns.• Schedule 11.0, page 1 of 1: Data A, B, and C for all columns in the tables labeled “Units” and “Costs.”• Schedule 11.1, page 1 of 5: Data A for Units and all columns.• Schedule 11.1, page 2 of 5: Data A for Units, Total units, and all columns.• Schedule 11.1, page 3 of 5: Data C for Costs and all columns.• Schedule 11.1, page 4 of 5: Data C for Costs, Total costs, and all columns.• Schedule 11.2, page 1 of 5: Data A for Units and all columns.• Schedule 11.2, page 2 of 5: Data A for Units, Total units, and all columns.• Schedule 11.2, page 3 of 5: Data C for Costs and all columns.• Schedule 11.2, page 4 of 5: Data C for Costs, Total costs, and all columns.• Schedule 13.0, page 1 of 1: Data A, B, and C for all columns in the tables labeled “Units” and “Net sales dollars.”• Schedule 13.1, page 1 of 4: Data A for Units and all columns; Data B (Total units) for all columns.			
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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<ul style="list-style-type: none"> Schedule 13.1, page 2 of 4: Data A for Net sales dollars and all columns; Data B (Total net sales dollars) for all columns. Schedule 13.1, page 3 of 4: Data B for ASP and all columns, but not Data B for Total ASP. Schedule 13.2, page 1 of 4: Data A for Units and all columns; Data B (Total units) for all columns. Schedule 13.2, page 2 of 4: Data A for Net sales dollars and all columns; Data B (Total net sales dollars) for all columns. Schedule 13.2, page 3 of 4: Data B for ASP and all columns, but not Data B for Total ASP. Schedule 16.0, page 1 of 1: Data B for columns 2020-2022; Data C for columns 2020-2022. 			
<p>ECF No. 125-10 Exhibit I - Bass Declaration in Support of the Motion to Exclude Richard Bero, Ex. 4 (Bero 2/25/23 Report/Updated Schedules)</p> <ul style="list-style-type: none"> Schedule 6.0, page 1 of 2: Data A for columns 2014-2022 and for column “2020-2021 decline”; Data D for columns 2023-2025; Data F for columns 2014-2022. Schedule 8.0, page 1 of 1: Data A for all columns; Data B for all columns. 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 7</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5-6</p>		GRANTED. Non-public financial information.

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<ul style="list-style-type: none"> • Schedule 8.1, page 1 of 6: Data A for Units and all columns. • Schedule 8.1, page 2 of 6: Data A for Units, Total units, and all columns. • Schedule 8.1, page 5 of 6: Data C for Net Sales dollars and all columns. • Schedule 8.1, page 6 of 6: Data C for Net Sales dollars, Total net sales dollars, and all columns. • Schedule 8.2, page 1 of 6: Data A for Units and all columns. • Schedule 8.2, page 2 of 6: Data A for Units, Total units, and all columns. • Schedule 8.2, page 5 of 6: Data B for Net Sales dollars and all columns. • Schedule 8.2, page 6 of 6: Data B for Net Sales dollars, Total net sales dollars, and all columns. • Schedule 9.0, page 1 of 2: Data A for all columns; Data D for all columns. • Schedule 9.1, page 1 of 1: Data A labels and for all columns; Data B labels and for all columns. • Schedule 11.0, page 1 of 1: Data A, B, and C for all columns in the tables labeled “Units” and “Costs.” 			

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<ul style="list-style-type: none"> • Schedule 11.1, page 1 of 5: Data A for Units and all columns. • Schedule 11.1, page 2 of 5: Data A for Units, Total units, and all columns. • Schedule 11.1, page 3 of 5: Data C for Costs and all columns. • Schedule 11.1, page 4 of 5: Data C for Costs, Total costs, and all columns. • Schedule 11.2, page 1 of 5: Data A for Units and all columns. • Schedule 11.2, page 2 of 5: Data A for Units, Total units, and all columns. • Schedule 11.2, page 3 of 5: Data C for Costs and all columns. • Schedule 11.2, page 4 of 5: Data C for Costs, Total costs, and all columns. • Schedule 13.0, page 1 of 1: Data A, B, and C for all columns in the tables labeled “Units” and “Net sales dollars.” • Schedule 13.1, page 1 of 4: Data A for Units and all columns; Data B (Total units) for all columns. • Schedule 13.1, page 2 of 4: Data A for Net sales dollars and all columns; Data B (Total net sales dollars) for all columns. 			

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<ul style="list-style-type: none"> Schedule 13.1, page 3 of 4: Data B for ASP and all columns, but not Data B for Total ASP. Schedule 13.2, page 1 of 4: Data A for Units and all columns; Data B (Total units) for all columns. Schedule 13.2, page 2 of 4: Data A for Net sales dollars and all columns; Data B (Total net sales dollars) for all columns. Schedule 13.2, page 3 of 4: Data B for ASP and all columns, but not Data B for Total ASP. Schedule 16.0, page 1 of 1: Data B for columns 2020-2022; Data C for columns 2020-2022. 			
<p>ECF No. 125-11 Exhibit J - Bass Declaration in Support of the Motion to Exclude Richard Bero, Ex. 5 (Bero 3/1/23 Report)</p> <ul style="list-style-type: none"> Schedule 6.0, page 1 of 2: Data A for columns 2014-2022 and for column “2020-2021 decline”; Data D for columns 2023-2025; Data F for columns 2014-2022. Schedule 8.0, page 1 of 1: Data A for all columns; Data B for all columns. Schedule 8.1, page 1 of 6: Data A for Units and all columns. Schedule 8.1, page 2 of 6: Data A for Units, 	<p>ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 7</p> <p>ECF No. 125 Administrative Motion to File Under Seal, pg. 2-3, 5-6</p>		GRANTED. Non-public financial information.

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>Total units, and all columns.</p> <ul style="list-style-type: none"> • Schedule 8.1, page 5 of 6: Data C for Net Sales dollars and all columns. • Schedule 8.1, page 6 of 6: Data C for Net Sales dollars, Total net sales dollars, and all columns. • Schedule 8.2, page 1 of 6: Data A for Units and all columns. • Schedule 8.2, page 2 of 6: Data A for Units, Total units, and all columns. • Schedule 8.2, page 5 of 6: Data B for Net Sales dollars and all columns. • Schedule 8.2, page 6 of 6: Data B for Net Sales dollars, Total net sales dollars, and all columns. • Schedule 9.0, page 1 of 2: Data A for all columns; Data D for all columns. • Schedule 9.1, page 1 of 1: Data A labels and for all columns; Data B labels and for all columns. • Schedule 11.0, page 1 of 1: Data A, B, and C for all columns in the tables labeled “Units” and “Costs.” • Schedule 11.1, page 1 of 5: Data A for Units and all columns. • Schedule 11.1, page 2 of 5: Data A for Units, Total units, and all columns. 			

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<ul style="list-style-type: none"> • Schedule 11.1, page 3 of 5: Data C for Costs and all columns. • Schedule 11.1, page 4 of 5: Data C for Costs, Total costs, and all columns. • Schedule 11.2, page 1 of 5: Data A for Units and all columns. • Schedule 11.2, page 2 of 5: Data A for Units, Total units, and all columns. • Schedule 11.2, page 3 of 5: Data C for Costs and all columns. • Schedule 11.2, page 4 of 5: Data C for Costs, Total costs, and all columns. • Schedule 13.0, page 1 of 1: Data A, B, and C for all columns in the tables labeled “Units” and “Net sales dollars.” • Schedule 13.1, page 1 of 4: Data A for Units and all columns; Data B (Total units) for all columns. • Schedule 13.1, page 2 of 4: Data A for Net sales dollars and all columns; Data B (Total net sales dollars) for all columns. • Schedule 13.1, page 3 of 4: Data B for ASP and all columns, but not Data B for Total ASP. • Schedule 13.2, page 1 of 4: Data A for Units and all columns; Data B (Total units) for all columns. 			

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<ul style="list-style-type: none"> • Schedule 13.2, page 2 of 4: Data A for Net sales dollars and all columns; Data B (Total net sales dollars) for all columns. • Schedule 13.2, page 3 of 4: Data B for ASP and all columns, but not Data B for Total ASP. • Schedule 16.0, page 1 of 1: Data B for columns 2020-2022; Data C for columns 2020-2022. 			
<p>ECF No. 133-2 SIS’s Motion to consider Whether Another Party’s Material Should Be Sealed, Exhibit 12 (Intuitive-02066979 – Intuitive-02067059)</p> <p>Pages containing redacted information:</p> <ul style="list-style-type: none"> • Intuitive-02066986 – Intuitive-02066988 • Intuitive-02066991 – Intuitive-02066996 • Intuitive-02066999 • Intuitive-02067001 – Intuitive-02067003 • Intuitive-02067005 – Intuitive-02067007 • Intuitive-02067012 – Intuitive-02067013 • Intuitive-02067018 – Intuitive-02067023 • Intuitive-02067030 – Intuitive-02067031 • Intuitive-02067035 – Intuitive-02067036 • Intuitive-02067051 – Intuitive-02067053 	<p>ECF No. 133-1 Declaration of Dr. Jaime Wong in Support of Defendant Intuitive Surgical’s Statement in Support of Plaintiffs’ Administrative Motions to Consider Whether Another Party’s Materials Should be Sealed (“Wong Declaration in Support of Statement to Consider Sealing”), ¶ 5</p> <p>ECF 133 Intuitive Surgical’s Statement in Support of Plaintiff’s Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-3</p>		GRANTED. Proprietary business information.

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<ul style="list-style-type: none"> Intuitive-02067056 – Intuitive-02067059 			
<p>ECF No. 133-3 SIS’s Motion to Consider, Exhibit 16 (Intuitive-00671209 – Intuitive-00671220)</p> <ul style="list-style-type: none"> Page Intuitive-00671210, redacted portions. Page Intuitive-00671220, redacted portions. 	<p>ECF No. 133-1 Wong Declaration in Support of Statement to Consider Sealing, ¶ 4, 5</p> <p>ECF 133 Intuitive Surgical’s Statement in Support of Plaintiff’s Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-3</p>		<p>GRANTED. Proprietary business information.</p>
<p>ECF No. 136-2 Declaration of Kathryn E. Cahoy in Support of Intuitive’s Opposition to Plaintiff’s Motion for Summary Judgment and Cross-Motion for Summary Judgment (“Cahoy Dec.”) Ex. 75 (Howe 1/18/23 SIS Rpt)</p> <ul style="list-style-type: none"> Page 29, Figure 6 Page 37, Figure 9 Page 38, Figure 10 	<p>ECF No. 136-1 Declaration of Dr. Jaime Wong in Support of Intuitive Surgical’s Administrative Motions to Seal Materials From Its Summary Judgment Briefs (“Wong Dec.”) ¶ 6</p> <p>ECF No. 136 Intuitive’s Administrative Motion to Seal Materials from its Summary Judgment Briefs, pg. 1-2, 4</p>		<p>Page 29, Figure 6 GRANTED. Proprietary business information.</p> <p>Page 37, Figure 9 Page 38, Figure 10 DENIED. Descriptions of surgical maneuvers are not proprietary.</p>

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<p>ECF No. 136-3 Cahoy Dec. Ex. 81 (Bero Report, Dec. 2, 2022)</p> <ul style="list-style-type: none"> • Schedule 6.0, page 1 of 2: Data A for columns 2014-2022 and for column “2020-2021 decline”; Data D for columns 2023-2025; Data F for columns 2014-2022. • Schedule 8.0, page 1 of 1: Data A for all columns; Data B for all columns. • Schedule 8.1, page 1 of 7: Data A for Units and all columns. • Schedule 8.1, page 2 of 7: Data A for Units, Total units, and all columns. • Schedule 8.1, page 5 of 7: Data C for Net Sales dollars and all columns. • Schedule 8.1, page 6 of 7: Data C for Net Sales dollars, Total net sales dollars, and all columns. • Schedule 8.2, page 1 of 7: Data A for Units and all columns. • Schedule 8.2, page 2 of 7: Data A for Units, Total units, and all columns. • Schedule 8.2, page 5 of 7: Data B for Net Sales dollars and all columns. • Schedule 8.2, page 6 of 7: Data B for Net Sales dollars, Total net sales dollars, and all columns. • Schedule 9.0, page 1 of 2: Data A for all columns; Data D for all columns. • Schedule 9.1, page 1 of 1: Data A labels and for 	<p>ECF No. 136-1 Wong Dec. ¶ 7</p> <p>ECF No. 136 Intuitive’s Administrative Motion to Seal Materials from its Summary Judgment Briefs, pg. 1-2, 4-5</p>		<p>GRANTED. Non-public financial information.</p>
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<p>all columns; Data B labels and for all columns.</p> <ul style="list-style-type: none">• Schedule 11.0, page 1 of 1: Data A, B, and C for all columns in the tables labeled “Units” and “Costs.”• Schedule 11.1, page 1 of 5: Data A for Units and all columns.• Schedule 11.1, page 2 of 5: Data A for Units, Total units, and all columns.• Schedule 11.1, page 3 of 5: Data C for Costs and all columns.• Schedule 11.1, page 4 of 5: Data C for Costs, Total costs, and all columns.• Schedule 11.2, page 1 of 5: Data A for Units and all columns.• Schedule 11.2, page 2 of 5: Data A for Units, Total units, and all columns.• Schedule 11.2, page 3 of 5: Data C for Costs and all columns.• Schedule 11.2, page 4 of 5: Data C for Costs, Total costs, and all columns.• Schedule 13.0, page 1 of 1: Data A, B, and C for all columns in the tables labeled “Units” and “Net sales dollars.”• Schedule 13.1, page 1 of 4: Data A for Units and all columns; Data B (Total units) for all columns.• Schedule 13.1, page 2 of 4: Data A for Net sales dollars and all columns;			
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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>Data B (Total net sales dollars) for all columns.</p> <ul style="list-style-type: none"> Schedule 13.1, page 3 of 4: Data B for ASP and all columns, but not Data B for Total ASP. Schedule 13.2, page 1 of 4: Data A for Units and all columns; Data B (Total units) for all columns. Schedule 13.2, page 2 of 4: Data A for Net sales dollars and all columns; Data B (Total net sales dollars) for all columns. Schedule 13.2, page 3 of 4: Data B for ASP and all columns, but not Data B for Total ASP. Schedule 16.0, page 1 of 1: Data B for columns 2020-2022; Data C for columns 2020-2022. 			
<p>ECF No. 136-4 Cahoy Dec. Ex. 85 (Expert Report of Paul D. Martin, Ph.D.)</p> <ul style="list-style-type: none"> Page 9, redacted portions of ¶ 24 Page 11, redacted portions of ¶ 31 Page 19, redacted portions of ¶ 53 Page 25, redacted portions of ¶ 67 Redacted portions of pages 26–29 Page 31, redacted portions of ¶ 79 	<p>ECF No. 136-1 Wong Dec. ¶¶ 4, 5</p> <p>ECF No. 136 Intuitive’s Administrative Motion to Seal Materials from its Summary Judgment Briefs, pg. 1-3</p>		<p>GRANTED. Proprietary product design information.</p>

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 136-5 Cahoy Dec. Ex. 89 (Expert Rebuttal Report of Kurt Humphrey)</p> <ul style="list-style-type: none"> Page 3, redacted portions of ¶ 14 	<p>ECF No. 136-1 Wong Dec. ¶ 5</p> <p>ECF No. 136 Intuitive’s Administrative Motion to Seal Materials from its Summary Judgment Briefs, pg. 1-3</p>		GRANTED. Proprietary product design information.
<p>ECF No. 136-6 Cahoy Dec. Ex. 90 (Intuitive-00506505 excerpts)</p> <ul style="list-style-type: none"> Pages Intuitive-00506539–42, redacted portions Pages Intuitive-00506593–94, redacted portions 	<p>ECF No. 136-1 Wong Dec. ¶ 4</p> <p>ECF No. 136 Intuitive’s Administrative Motion to Seal Materials from its Summary Judgment Briefs, pg. 1-3</p>		GRANTED. Proprietary product design information.
<p>ECF No. 151-2 SIS Opposition to Intuitive Motion to Exclude Kurt Humphrey’s Expert Testimony (Dkt. 145 & Dkt. 149 Attachment 2)</p> <ul style="list-style-type: none"> Page 6, redacted portions on lines 22–23. 	<p>ECF No. 151-1 Declaration of Dr. Jaime Wong in Support of Intuitive Surgical, Inc.’s Statement in Support of Plaintiffs’ April 20, 2023 Administrative Motions to Consider Whether Another Party’s Materials Should Be Sealed, ¶ 4</p> <p>ECF No. 151 Intuitive’s Statement in Support of Plaintiff’s April 20, 2023 Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 2-4</p>		GRANTED. Proprietary product design information.

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 171-2 Van Hoven Decl., Exhibit 10 (Intuitive-00027299 – Intuitive-00027303) • Intuitive-00027303, redacted portions</p>	<p>ECF No. 171-1 Declaration of Dr. Jaime Wong in Support of Intuitive Surgical, Inc.’s Statement in Support of Plaintiffs’ May 4, 2023 Administrative Motions to Consider Whether Another Party’s Materials Should Be Sealed (“Wong Dec.”), ¶ 6.</p> <p>ECF No. 171 Intuitive’s Statement in Support of Plaintiff’s May 4, 2023 Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-2, 4</p>		<p>GRANTED. Proprietary product design information.</p>
<p>ECF No. 171-3 Van Hoven Decl., Exhibit 27 Excerpts of Deposition of Sharathchandra Somayaji (November 4, 2022) • Pages 132–38, redacted portions.</p>	<p>ECF No. 171-1 Wong Dec. ¶ 5</p> <p>ECF No. 171 Intuitive’s Statement in Support of Plaintiff’s May 4, 2023 Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-4</p>		<p>GRANTED. Proprietary product design information.</p>

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 171-4 Van Hoven Decl., Exhibit 34</p> <p>Exhibit 267 of the 30(b)(6) Deposition of Grant Duque, bates-labeled as Intuitive-02068695 –Intuitive-0206897</p> <ul style="list-style-type: none"> • Page Intuitive-02068695, redacted portions 	<p>ECF No. 171-1 Wong Dec. ¶ 4</p> <p>ECF No. 171 Intuitive’s Statement in Support of Plaintiff’s May 4, 2023 Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-3</p>		<p>GRANTED. Proprietary product design information.</p>
<p>ECF No. 133-2, 161-39 Van Hoven Decl., Exhibit 36, Intuitive-02066979 – Intuitive-02067059</p> <p>Pages containing redacted information:</p> <ul style="list-style-type: none"> • Intuitive-02066986 - Intuitive-02066988 • Intuitive-02066991 - Intuitive-02066996 • Intuitive-02066999 • Intuitive-02067001 - Intuitive-02067003 • Intuitive-02067005 - Intuitive-02067007 • Intuitive-02067012 - Intuitive-02067013 • Intuitive-02067018 - Intuitive-02067023 • Intuitive-02067030 - Intuitive-02067031 • Intuitive-02067035 - Intuitive-02067036 • Intuitive-02067051 - Intuitive-02067053 	<p>ECF No. 171-1 Wong Dec. ¶ 6</p> <p>ECF No. 171 Intuitive’s Statement in Support of Plaintiff’s May 4, 2023 Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-2, 4</p>		<p>GRANTED. Proprietary business strategy information.</p>

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<ul style="list-style-type: none"> Intuitive-02067056 - Intuitive-02067059 <p>(See Dkt. 133-1 (March 30, 2023 Wong Dec.) at 4).</p>			
<p>ECF No. 133-3, 161-45 Van Hoven Decl., Exhibit 42, Intuitive-00671209 – Intuitive-00671220</p> <ul style="list-style-type: none"> Page Intuitive-00671210, redacted portions. <p>(See Dkt. No. 133-1 (March 30, 2022 Wong Dec.) at 2).</p>	<p>ECF No. 171-1 Wong Dec. ¶ 5</p> <p>ECF No. 171 Intuitive’s Statement in Support of Plaintiff’s May 4, 2023 Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-4</p>		GRANTED. Proprietary business strategy information.
<p>ECF No. 171-5 Van Hoven Decl., Exhibit 54, Sales, License, and Service Agreement dated December 7, 2018, Intuitive-01807644 – Intuitive-01807658</p> <ul style="list-style-type: none"> Page Intuitive-01807654, redacted portions Page Intuitive-01807657, redacted portions 	<p>ECF No. 171-1 Wong Dec. ¶ 7</p> <p>ECF No. 171 Intuitive’s Statement in Support of Plaintiff’s May 4, 2023 Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-2, 4-5</p>		GRANTED. Proprietary business strategy information.

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<p>ECF No. 125-11, 161-60 Van Hoven Decl., Exhibit 57 Expert Report of Richard F. Bero (March 1, 2023)</p> <p>Pages containing redacted information:</p> <ul style="list-style-type: none"> • Schedule 6.0, page 1 of 2: Data A for columns 2014-2022 and for column “2020-2021 decline”; Data D for columns 2023- 2025; Data F for columns 2014-2022. • Schedule 8.0, page 1 of 1: Data A for all columns; Data B for all columns. • Schedule 8.1, page 1 of 6: Data A for Units and all columns • Schedule 8.1, page 2 of 6: Data A for Units, Total units, and all columns. • Schedule 8.1, page 5 of 6: Data C for Net Sales dollars and all columns. • Schedule 8.1, page 6 of 6: Data C for Net Sales dollars, Total net sales dollars, and all columns. • Schedule 8.2, page 1 of 6: Data A for Units and all columns. • Schedule 8.2, page 2 of 6: Data A for Units, Total units, and all columns. • Schedule 8.2, page 5 of 6: Data B for Net Sales dollars and all columns. • Schedule 8.2, page 6 of 6: Data B for Net Sales dollars, Total net sales dollars, and all columns. 	<p>ECF No. 171-1 Wong Dec. ¶ 7</p> <p>ECF No. 171 Intuitive’s Statement in Support of Plaintiff’s May 4, 2023 Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-2, 4-5</p>		<p>GRANTED. Non-public financial information.</p>
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<ul style="list-style-type: none">• Schedule 9.0, page 1 of 2: Data A for all columns; Data D for all columns.• Schedule 9.1, page 1 of 1: Data A labels and for all columns; Data B labels and for all columns.• Schedule 11.0, page 1 of Data A, B, and C for all columns in the tables labeled “Units” and “Costs”• Schedule 11.1, page 1 of 5: Data A for Units and all columns.• Schedule 11.1, page 2 of 5: Data A for Units, Total units, and all columns.• Schedule 11.1, page 3 of 5: Data C for Costs and all columns.• Schedule 11.1, page 4 of 5: Data C for Costs, Total costs, and all columns.• Schedule 11.2, page 1 of 5: Data A for Units and all columns.• Schedule 11.2, page 2 of 5: Data A for Units, Total units, and all columns.• Schedule 11.2, page 3 of 5: Data C for Costs and all columns.• Schedule 11.2, page 4 of 5: Data C for Costs, Total costs, and all columns.• Schedule 13.0, page 1 of 1: Data A, B, and C for all columns in the tables labeled “Units” and “Net sales dollars.”• Schedule 13.1, page 1 of 4: Data A for Units and			
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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>all columns; Data B (Total units) for all columns.</p> <ul style="list-style-type: none"> Schedule 13.1, page 2 of 4: Data A for Net sales dollars and all columns; Data B (Total net sales dollars) for all columns. Schedule 13.1, page 3 of 4: Data B for ASP and all columns, but not Data B for Total ASP. Schedule 13.2, page 1 of 4: Data A for Units and all columns; Data B (Total units) for all columns. Schedule 13.2, page 2 of 4: Data A for Net sales dollars and all columns; Data B (Total net sales dollars) for all columns. Schedule 13.2, page 3 of 4: Data B for ASP and all columns, but not Data B for Total ASP. Schedule 16.0, page 1 of 1: Data B for columns 2020-2022; Data C for columns 2020-2022. <p>(See Dkt. 125.1 (March 23, 2022 Wong Dec.) at 8–9).</p>			

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 125-3, 161-61 Van Hoven Decl., Exhibit 58 Expert Report of Kurt Humphrey (July 26, 2021)</p> <ul style="list-style-type: none"> • Page 11, figure appearing between ¶ 29 and ¶ 30 • Att. 3, page 20, redacted portions of ¶ 66 • Att. 3, page 27, redacted portions of ¶ 93 • Att. 3, page 27, redacted portions of ¶ 95 • Att. 3, page 27, redacted portions of ¶ 96 • Att. 3, page 28, redacted portions of ¶ 96 • Att. 3, page 28, redacted portions of ¶ 97 • Att. 3, page 28, redacted portions of ¶ 98 <p>(See Dkt. 125.1 (March 23, 2022 Wong Decl.) at 2).</p>	<p>ECF No. 171-1 Wong Dec. ¶ 4</p> <p>ECF No. 171 Intuitive’s Statement in Support of Plaintiff’s May 4, 2023 Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-3</p>		<p>GRANTED. Proprietary product design information.</p>
<p>ECF No. 125-3, 161-61 Van Hoven Decl., Exhibit 58 Expert Report of Kurt Humphrey (July 26, 2021)</p> <p>Pages containing redacted information:</p> <ul style="list-style-type: none"> • Page 5, redacted portions of ¶ 16 • Page 23-24, redacted portions of ¶ 56 • Page 24, redacted portions of ¶ 57 	<p>ECF No. 171-1 Wong Dec. ¶ 5</p> <p>ECF No. 171 Intuitive’s Statement in Support of Plaintiff’s May 4, 2023 Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-4</p>		<p>GRANTED. Proprietary product design information.</p>

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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<ul style="list-style-type: none"> Page 25, chart appearing prior to ¶ 58 Redacted portions of pages 25–27, including charts appearing on Page 25 after ¶ 58 and the chart appearing on page 26 before ¶ 59 Page 26, redacted portions of ¶ 59 <p>(See Dkt. 125.1 (March 23, 2022 Wong Decl.) at 3)</p>			
<p>ECF No. 171-6 Plaintiff’s Opposition to Intuitive’s Motion for Summary Judgment and Reply in Support of Partial Summary Judgment (Dkt. 156, 161.2)</p> <ul style="list-style-type: none"> Page 13, highlighted portion (lines 8-10). 	<p>ECF No. 171-1 Wong Dec. ¶ 5</p> <p>ECF No. 171 Intuitive’s Statement in Support of Plaintiff’s May 4, 2023 Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-4</p>		GRANTED. Proprietary product design information.

Documents or Portions Thereof that Alliance Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 130-48</p> <p>AHP000527</p> <p>Exhibit 13, Motion to Exclude Testimony of Phillips AHP000527</p>	<p>ECF No. 135</p>		GRANTED. Proprietary business information.

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Documents or Portions Thereof that Alliance Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 138-27 AHP000527 Cross-Motion for Summary Judgement Cahoy Dec. Ex. 41	ECF No. 139		GRANTED. Proprietary business information.
Documents or Portions Thereof that Rebotix Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 130-18 Ex. 11 to Cahoy Declaration in Support of Motion to Exclude Testimony of Kurt Humphrey Pages 7-12	ECF No. 132		GRANTED. Proprietary business information.
ECF No. 130-14 Expert Report of Richard F. Bero (12/02/2022) Section of page 10	ECF No. 132		GRANTED. Proprietary business information.
ECF No. 130-14 Expert Report of Richard F. Bero (12/02/2022) Section of page 30	ECF No. 132		GRANTED. Proprietary business information.
ECF No. 130-6 Expert Report of Richard F. Bero (03/01/2023) Section of page 5	ECF No. 132		GRANTED. Proprietary business information.

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Documents or Portions Thereof that Rebotix Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 130-35 Expert Report of Robert Howe (01/18/2023) Page 23, ¶ 49	ECF No. 132		GRANTED. Proprietary business information.
ECF No. 130-35 Expert Report of Robert Howe (01/18/2023) Page 24, ¶ 49	ECF No. 132		GRANTED. Proprietary business information.
ECF No. 130-35 Expert Report of Robert Howe (01/18/2023) Page 24-25, ¶ 50	ECF No. 132		GRANTED. Proprietary business information.
ECF No. 130-35 Expert Report of Robert Howe (01/18/2023) Page 25, ¶ 51	ECF No. 132		GRANTED. Proprietary business information.
ECF No. 138-2 Opposition of Defendant/Counterclaimant Intuitive Surgical, Inc. To Plaintiff's Motion for Summary Judgment and Cross-Motion for Summary Judgment (SIS) Page 6	ECF No. 141		GRANTED. Proprietary business information.
ECF No. 138-7 Cahoy Dec. Ex. 14 (REBOTIX100995 - REBOTIX101019) Entire Document	ECF No. 141		GRANTED. Proprietary business information.

Documents or Portions Thereof that Rebotix Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence offered in Support of Sealing	Objections	Ruling
<p>ECF No. 138-8 Cahoy Dec. Ex. 15 (REBOTIX162404 - REBOTIX162424)</p> <p>Entire Document</p>	<p>ECF No. 141</p>		<p>GRANTED. Proprietary business information.</p>
<p>ECF No. 173-4 Reply in Support of Motion of Intuitive to Exclude Testimony of K. Humphrey</p> <p>Page 6-7</p>	<p>ECF No. 175</p>		<p>GRANTED. Proprietary business information.</p>
<p>ECF No. 173-4 Reply in Support of Motion of Intuitive to Exclude Testimony of K. Humphrey</p> <p>Page 7 n.4</p>	<p>ECF No. 175</p>		<p>GRANTED. Proprietary business information. (Applies to content above Header IV.)</p>

Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
<p>Dkt. No. 130-2 Bero 12/02/2022 Opening Report at 13</p>	<p>Dkt. No. 134 Parker Dec. ¶¶ 3-5 (3:14-3:21)</p>		<p>GRANTED. Proprietary business information.</p>
<p>Dkt. No. 130-2 Bero 12/02/2022 Opening Report at 21</p> <p>Redact between “repair procedure” and “Clifton Parker”</p>	<p>Dkt. No. 134 Parker Dec. ¶¶ 3-5 (4:1-4:7)</p>		<p>GRANTED. Proprietary business information.</p>
<p>Dkt. No. 130-2 Bero 12/02/2022 Opening Report at 31-32</p>	<p>Dkt. No. 134 Parker Dec. ¶¶ 3-5 (4:9-4:10)</p>		<p>GRANTED. Proprietary business information.</p>

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Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
Dkt. No. 130-2 Bero 12/02/2022 Opening Report at 32	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (4:11-5:8)		GRANTED. Proprietary business information.
Dkt. No. 130-2 Bero 12/02/2022 Opening Report at 44	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (5:9-5:14)		GRANTED. Proprietary business information.
Dkt. No. 130-2 Bero 12/02/2022 Opening Report at 46 Redact second sentence	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (5:16-5:19)		GRANTED. Proprietary business information.
Dkt. No. 130-2 Bero 12/02/2022 Opening Report at 57	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (5:20-5:21)		GRANTED. Proprietary business information.
Dkt. No. 130-42 Foreman 01/18/2023 Report (SIS) at 44 ¶ 133	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (5:22-5:24)		GRANTED. Proprietary business information.
Dkt. No. 130-42 Foreman 01/18/2023 Report (SIS) at 44 ¶ 134	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (5:25-5:27)		GRANTED. Proprietary business information.
Dkt. No. 130-42 Foreman 01/18/2023 Report (SIS) at 44 ¶ 135 text only (not footnote)	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:1-6:3)		GRANTED. Proprietary business information.
Dkt. No. 130-42 Foreman 01/18/2023 Report (SIS) at 44 ¶ 136	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:4-6:5)		GRANTED. Proprietary business information.

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Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
Dkt. No. 130-42 Foreman 01/18/2023 Report (SIS) at 44 ¶ 174	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:6)		GRANTED. Proprietary production methods.
Dkt. No. 130-42 Foreman 01/18/2023 Report (SIS) at 44 ¶ 223	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:7-6.8)		GRANTED. Proprietary production methods.
Dkt. No. 130-42 Foreman 01/18/2023 Report (SIS) at 44 ¶ 224	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:9-6:10)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 8 ¶ 19	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:11)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 23-24 ¶ 46	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:12-6:16)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 24 ¶ 47	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:17-6:18)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 43 ¶ 75	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:20-6:22)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 66 ¶ 125	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:23-6:24)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 66 ¶ 127	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:25)		GRANTED. Proprietary business information.

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Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 73 ¶ 143	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:26)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 73 ¶ 144	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (6:27)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 73-74 ¶ 145	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (7:1-7:8)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 74-75 ¶ 147	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (7:9)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 76 ¶ 148	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (7:10)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 76-77 ¶ 149	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (7:11)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 77 ¶ 150	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (7:12-7:13)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 78 ¶ 152	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (7:14-7:16)		GRANTED. Proprietary business information.

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Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 78-79 ¶ 153	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (7:17-7:19)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 79-80 ¶ 154	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (7:20-7:23)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 80 ¶ 155	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (7:25-7:26)		GRANTED. Proprietary business information.
Dkt. No. 130-35 Howe 01/18/2023 Report (SIS) at 81 ¶ 158	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (8:1-8:3)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 5 ¶ 12 Redact first sentence in footnote	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (8:4-8:5)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 22-23 ¶ 48	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (8:6-8:9)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 23 ¶ 49	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (8:10-8:11)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 42 ¶ 78	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (8:12-8:15)		GRANTED. Proprietary business information.

Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 42 ¶ 79	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (8:16-8:17)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 66 ¶ 128	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (8:18)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 71 ¶ 142 redact parenthetical in footnote	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (8:20-8:21) Dkt. No. 135 Berhold Dec. ¶¶ 3-7		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 72 ¶ 145	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (8:22)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 72 ¶ 146	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (8:23)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 72- 73 ¶ 147	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (8:24-9:6)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 73- 74 ¶ 149	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (9:7)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 75 ¶ 150	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (9:8)		GRANTED. Proprietary business information.

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Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 75 ¶ 151	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (9:10)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 76 ¶ 152	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (9:11-9:12)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 77 ¶ 155	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (9:13-9:14)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 77 ¶ 156	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (9:15-9:18)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 78 ¶ 157	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (9:19-9:21)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 95 ¶ 183 redact text only	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (9:23-9:27)		GRANTED. Proprietary business information.
Dkt. No. 130-34 Howe 01/18/2023 Report (Larkin) at 95 ¶ 184 Redact first sentence in footnote only	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (10:1-10:2)		GRANTED. Proprietary business information.
Dkt. No. 130-16 Att. 3, Humphrey 12/2/2022 Opening Report at 13 ¶ 33	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (10:5)		GRANTED. Proprietary production method.

Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
Dkt. No. 130-16 Att. 3, Humphrey 12/2/2022 Opening Report at 13 ¶ 34	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (10:6-10:9)		GRANTED. Proprietary business information.
Dkt. No. 130-16 Att. 3, Humphrey 12/2/2022 Opening Report at 13-14 ¶ 35	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (10:10-10:11)		GRANTED. Proprietary business information.
Dkt. No. 130-29 Parnell 03/01/2023 Rebuttal Report (Larkin) at 131 ¶ 292	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (10:12-10:15)		GRANTED. Proprietary production method.
Dkt. No. 130-29 Parnell 03/01/2023 Rebuttal Report (Larkin) at 131 ¶ 293	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (10:18-10:19)		GRANTED. Proprietary business information.
Dkt. No. 130-30 Parnell 03/01/2023 Rebuttal Report (SIS) at 111-12 ¶ 264	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (10:20-10:23)		GRANTED. Proprietary business information.
Dkt. No. 130-4 Smith 01/18/2023 Rebuttal Report at 12- 13 ¶ 23	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (11:1)		GRANTED. Proprietary business information.
Dkt. No. 130-4 Smith 01/18/2023 Rebuttal Report at 14- 15 ¶ 25	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (11:2-11:3)		GRANTED. Proprietary business information.
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 39 ¶ 118-119	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (11:4-11:7) Dkt. No. 135 Berhold Dec. ¶¶ 3-7		GRANTED. Proprietary business information.

Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 40 ¶ 121-122	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (11:8-11:11) Dkt. No. 135 Berhold Dec. ¶¶ 3-7		GRANTED. Proprietary business information.
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 40 ¶ 122-124	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (11:12-11:15) Dkt. No. 135 Berhold Dec. ¶¶ 3-7		GRANTED. Proprietary business information.
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 40-41 ¶ 125	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (11:16-11:19) Dkt. No. 135 Berhold Dec. ¶¶ 3-7		GRANTED. Proprietary business information.
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 41 ¶ 125-127	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (11:20-11:23) Dkt. No. 135 Berhold Dec. ¶¶ 3-7		GRANTED. Proprietary business information.
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 42 ¶ 128-129	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (11:24-11:25) Dkt. No. 135 Berhold Dec. ¶¶ 3-7		GRANTED. Proprietary business information.
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 42-43 ¶ 131	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (12:1-12:3) Dkt. No. 135 Berhold Dec. ¶¶ 3-7		GRANTED. Proprietary business information.

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Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 43 ¶ 131-132	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (12:4-12:7)		GRANTED. Proprietary business information.
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 43 ¶ 133-134	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (12:8-12:11)		GRANTED. Proprietary business information.
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 46 ¶ 139, 141	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (12:12-12:13)		GRANTED. Proprietary business information.
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 47 ¶ 142	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (12:14-12:15) Dkt. No. 135 Berhold Dec. ¶¶ 3-7		GRANTED. Proprietary business information.
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 56-57 ¶ 174	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (12:16-12:17)		GRANTED. Proprietary business information.
Dkt. No. 130-41 Trautman 01/18/2023 Reply Report (Foreman) at 64 ¶ 205	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (12:18-12:19)		GRANTED. Proprietary business information.
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 69 ¶ 223-224	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (12:20-12:21)		GRANTED. Proprietary business information.
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 69-70 ¶ 224	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (12:22-12:23)		GRANTED. Proprietary business information.

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Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
Dkt. No. 130-41 01/18/2023 Reply Report (Foreman) at 73-74 ¶ 233	Dkt. No. 134 Parker Dec. ¶¶ 3-5 (12:24-12:25)		GRANTED. Proprietary business information.
Dkt. No. 138-25 Cahoy Dec. Ex. 39, Deposition of Clifton Parker (May 4, 2021) Pages 204-205	Dkt. No. 140		GRANTED. Proprietary business information.
Dkt. No. 138-25 Cahoy Dec. Ex. 39, Deposition of Clifton Parker (May 4, 2021) Pages 213-216	Dkt. No. 140		GRANTED. Proprietary business information.
Dkt. No. 138-43 Cahoy Dec. Ex. 95 Deposition of Clifton Parker (October 25, 2022) Pages 31-32	Dkt. No. 140		GRANTED. Proprietary business information.
Dkt. No. 138-44 Cahoy Dec. Ex. 96 Deposition of Kevin May (November 3, 2022) Page 60	Dkt. No. 140		GRANTED. Proprietary business information.
Dkt. No. 138-24 Cahoy Dec. Ex. 38 Restore-00001248 - Restore-00001256 Attached as Ex.1.	Dkt. No. 140		GRANTED. Proprietary business information.

Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
<p>Dkt. No. 138-28 Cahoy Dec. Ex. 42</p> <p>Restore-00086093 - Restore-00086120 Attached as Ex. 2.</p>	Dkt. No. 140		GRANTED. Proprietary business information.
<p>Dkt. No. 130-29</p> <p>Parnell 03/01/2023 Rebuttal Report</p> <p>Page 120 ¶ 268 Restore-00089490, at -9493</p>	Dkt. No. 158		GRANTED. Proprietary business information.
<p>Dkt. No. 130-29</p> <p>Parnell 03/01/2023 Rebuttal Report</p> <p>Page 120 ¶ 269 Restore-00089490, at -9493</p>	Dkt. No. 158		GRANTED. Proprietary business information.
<p>Dkt. No. 130-29</p> <p>Parnell 03/01/2023 Rebuttal Report</p> <p>Page 120 ¶ 270 Restore-00089490, at -9493-95, -9495, 9496-9467</p>	Dkt. No. 158		GRANTED. Proprietary business information.
<p>Dkt. No. 161-61</p> <p>Expert Report of Kurt Humphrey</p> <p>Pages 13-14</p>	Dkt. No. 170		GRANTED. Proprietary business information.

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Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
<p>Dkt. No. 161-24</p> <p>Expert Report of Dr. T. Kim Parnell (March 1, 2023)</p> <p>Pages 110-111 Restore-00086093 – Restore-00086120</p> <p>Testing Protocols Production Methods 510(k) Submission Regulatory Strategy * See ECF No. 140 at 6 and ECF No. 140-2.</p>	Dkt. No. 170		GRANTED. Proprietary business information.
<p>Dkt. No. 161-24</p> <p>Expert Report of Dr. T. Kim Parnell (March 1, 2023)</p> <p>Page 112</p>	Dkt. No. 170		GRANTED. Proprietary business information.
<p>Dkt. No. 161-63</p> <p>Deposition of Clifton Parker (October 25, 2022)</p> <p>Pages 141-142</p>	Dkt. No. 170		GRANTED. Proprietary business information.
<p>Dkt. No. 161-22</p> <p>Deposition of Kevin May (November 3, 2022)</p> <p>Page 60</p>	Dkt. No. 170		GRANTED. Proprietary business information.

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Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
Dkt. No. 161-22 Deposition of Kevin May (November 3, 2022) Pages 75-76	Dkt. No. 170		GRANTED. Proprietary business information and non-public financial information.
Dkt. No. 161-22 Deposition of Kevin May (November 3, 2022) Pages 89-90	Dkt. No. 170		GRANTED. Proprietary business information.
Dkt. No. 161-22 Deposition of Kevin May (November 3, 2022) Pages 89-90	Dkt. No. 170		GRANTED. Proprietary business information.
Dkt. No. 173-6 Defendant's Reply Brief in Support of Motion of Intuitive to Exclude Testimony of R. Bero Page 6	Dkt. No. 176		GRANTED. Proprietary business information.

IT IS SO ORDERED.

Dated: April 1, 2024


ARACELI MARTÍNEZ-OLGUÍN
United States District Judge