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 STANDARD INSURANCE COMPANY and THE
 8 LUCASFILM LTD. GROUP LONG TERM
 DISABILITY PLAN
 9

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION
 13

14 **BRENT OSTER,**
 15 **Plaintiff,**
 16 **v.**
 17 **STANDARD INSURANCE COMPANY;**
 18 **THE LUCASFILM LTD. GROUP LONG**
 19 **TERM DISABILITY PLAN; and DOES 1**
 20 **through 20, inclusive,**
 21 **Defendant.**

Case No. C 09-00851 (SBA)
JOINT STIPULATION AND ORDER
REGARDING DOCUMENTS TO BE
SEALED
 Date: October 20, 2009
 Time: 1:00 p.m.
 Courtroom: 3, 3rd Floor
 Judge: Hon. Sandra B. Armstrong

1 Plaintiff Brent Oster, on the one hand, and Defendants Standard Insurance Company
2 (“Standard”) and The Lucasfilm Ltd. Group Long Term Disability Plan, on the other hand, each
3 through their respective counsel of record, hereby stipulate as follows:

4 WHEREAS on or about September 15, 2009, Plaintiff filed an Administrative Motion to
5 maintain Exhibits A through G to the Declaration of Brian H. Kim (Docket No. 31) under seal
6 pursuant to Local Rule 79-5 because Defendants had designated confidential these exhibits’
7 contents pursuant to Stipulated Protective Order (Docket 22);

8 WHEREAS on or about September 22, 2009, Standard filed its Response (Docket No.
9 41), Declaration of Lori Jenson (Docket No. 42) and Proposed Order (Docket No. 43) to
10 substantiate the need to maintain Exhibit E under seal and to withdraw the confidentiality
11 designation for Exhibits A-D and F-G.

12 WHEREAS Plaintiff filed 149-pages of excerpts of the Standard’s Group Benefits LTD
13 Claims Manual (“Claims Manual”) as Exhibit E, but referenced only pages 5.8, 6.3 and 7.8 of the
14 Claims Manual in his Rule 52 Motion for Judgment (Docket 30).

15 WHEREAS the Claims Manual is maintained in a confidential and proprietary manner
16 because the majority of its contents are Standard’s trade secrets. Standard protects the
17 confidential and proprietary content of the Claims Manual by producing it subject to a protective
18 order, when the Claims Manual is subject to discovery. The one narrow exception to the
19 confidential and proprietary manner in which the Claims Manual is maintained and produced is
20 when documents are “relevant” documents pursuant to 29 C.F.R. 2560.503-1.

21 WHEREAS one paragraph of page 5.8 – entitled “Own Occupation versus Own Job” –
22 has been produced to insureds without a protective order pursuant to 29 C.F.R. 2560.503-1, yet
23 the remainder of page 5.8 is a trade secret along with pages 6.3 and 7.8.

24 WHEREAS Local Rule 79-5(a) requires that a request to seal documents be narrowly
25 tailored.

26 NOW THEREFORE, the parties hereby stipulate that Plaintiff will refile Exhibit E,
27 limiting the exhibit to pages 5.8, 6.3 and 7.8 of the Claims Manual, under seal, with the exception
28 of the paragraph of page 5.8 entitled “Own Occupation versus Own Job.”

1 THEREFORE, the parties hereby stipulate that Defendants withdraw their designation of
2 confidentiality for Exhibits A through D and Exhibits F and G, and accordingly, those exhibits
3 need not be filed under seal.

4 IT IS SO STIPULATED.

5 Dated: September 28, 2009

Respectfully submitted,

JONES DAY

By: /s/ Chantelle C. Egan

Chantelle C. Egan

Attorneys for Defendants
STANDARD INSURANCE COMPANY and
THE LUCASFILM LTD. GROUP LONG
TERM DISABILITY PLAN

13 Dated: September 28, 2009

Respectfully submitted,

JONES DAY

By: /s/ Brian H. Kim

Brian H. Kim


Attorneys for Plaintiff
BRENT OSTER

19 IT IS ORDERED that:

20 1. Plaintiff refile Exhibit E to the Declaration of Brian H. Kim (Docket No. 31),
21 limiting the exhibit to pages 5.8, 6.3 and 7.8 of the Claims Manual, so as to narrowly tailor the
22 sealable documents; and the refiled Exhibit E be sealed, with the exception of the paragraph of
23 page 5.8 entitled "Own Occupation versus Own Job."

24 2. Exhibits A through D and Exhibits F and G to the Declaration of Brian H. Kim
25 (Docket No. 31) are not sealable and will be made available to the public.

27 Dated: 9/30/09



Honorable Sandra B. Armstrong
United States District Judge