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

SEAGATE TECHNOLOGY LLC, a Delaware
limited liability company; SEAGATE
TECHNOLOGY INTERNATIONAL, a Cayman
Island corporation; SEAGATE SINGAPORE
INTERNATIONAL HEADQUARTERS PTE LTD, a
Singapore corporation,

Plaintiffs,

v.

NATIONAL UNION FIRE INSURANCE COMPANY
OF PITTSBURGH, PA, a Pennsylvania
corporation; INSURANCE COMPANY OF THE
STATE OF PENNSYLVANIA, a Pennsylvania
corporation,

Defendants.

No. C 09-04120 CW

ORDER STRIKING
PLAINTIFFS'
OBJECTIONS TO
DEFENDANTS'
EVIDENCE IN
SUPPORT OF MOTION
FOR PARTIAL
SUMMARY JUDGMENT,
AND MOTION TO
STRIKE OR
ALTERNATIVELY
SEAL CONFIDENTIAL
EXHIBITS

United States District Court
For the Northern District of California

On November 18, 2010, Defendants moved for partial summary judgment. Docket No. 85. On December 10, 2010, Plaintiffs filed an eighteen page motion objecting to Defendants' evidence cited in support of its motion for partial summary judgment. Docket No. 92. Plaintiffs' motion violated Local Rule 7-3(a) and this Court's standing order which states regarding motions for summary judgment, "Evidentiary and procedural objections shall be contained within the motion, opposition or reply; separate motions to strike will not be considered by the Court."

Accordingly, the Court strikes Plaintiffs' motion to strike evidence, Docket No. 92, as well as Defendants' opposition to the

1 motion, Docket No. 102. The Court grants both parties leave to
2 amend and refile their briefing, incorporating any any evidentiary
3 objections or responses to such objections. Plaintiffs' refiled
4 opposition to Defendants' motion for partial summary judgment is
5 due December 23, 2010. Defendants' refiled reply is due by
6 December 30, 2010. If the parties find it necessary, they may
7 stipulate to a new hearing date, and file their briefing in
8 accordance with the requirements set forth in Local Rule 7-3.

9 To the extent that Plaintiffs' motion seeks to strike
10 confidential material filed on the public docket by Defendants in
11 support of their motion for partial summary judgment, Plaintiffs'
12 motion is granted with respect to the following exhibits filed at
13 Docket No. 86: Exhibits 22-28, 53, 63, 67, 83, 85-86, 90, 92-94,
14 96-97, 100-103, 106, 108-111, 115, 117, 120, 122 and 124. The
15 clerk shall remove these items from the public docket and file them
16 under seal.

17 Plaintiffs seek to strike Exhibit 63 from the public docket.
18 However, that exhibit was not included on the public docket. In
19 addition, Exhibit 63 was not served on Plaintiffs. Defendants are
20 to serve Exhibit 63 to Plaintiffs, and submit it for filing under
21 seal with the Court.

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23 IT IS SO ORDERED.

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25 Dated: 12/20/2010

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CLAUDIA WILKEN
United States District Judge