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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAINTERNATIONAL BUSINESS MACHINES
CORPORATION,

Plaintiff,

No. C 11-4896 PJH

v.

**ORDER DENYING ADMINISTRATIVE
REQUEST TO SEAL**

ACQIS LLC,

Defendant.
/

The court is in receipt of defendant's motion to dismiss or in the alternative, to transfer the above-referenced action, and defendant's accompanying request to seal the motion. Defendant's request seeks to file under seal certain sections of the motion to dismiss, as well as Exhibit 1 to the Guske Declaration in support of the motion to dismiss. However, while defendant contends that an order sealing the foregoing is warranted because they "relate to a letter sent as part of confidential court-ordered mediation proceedings in a related, ongoing litigation," defendant does not actually seek to file the purportedly privileged letter under seal. Nor can the court glean the confidential contents of any such letter from its review of Exhibit 1. Thus, the court DENIES defendant's request for a sealing order at this time.

Defendant is instructed to file a non-redacted version of its motion within 5 days of the date of this order. The court furthermore notes that the chambers copy of the motion provided to the court is double-sided, in violation of local rule 3-4(c)(2). Defendant is thus furthermore instructed to re-serve a chambers copy of its motion papers upon the court that

1 complies with the local rules.

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3 **IT IS SO ORDERED.**

4 Dated: December 2, 2011



PHYLLIS J. HAMILTON
United States District Judge

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