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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHRIMAR SYSTEMS INC, et al.,  
Plaintiffs,  
v.  
CISCO SYSTEMS INC, et al.,  
Defendants.

Case No. [13-cv-01300-JSW](#)

**ORDER REGARDING DEFENDANTS'  
ADMINISTRATIVE MOTIONS TO  
SEAL AND DIRECTING DEFENDANTS  
TO SERVE ORDER**

Re: Docket Nos. 339 and 355

Defendants have filed two motions to seal, which pertain to the opening and reply briefs on their motion for leave to amend, and exhibits submitted in support of that motion. According to Defendants' motion, Clyde Boenke designated certain materials as confidential. Although Defendants served a copy of their motion on Mr. Boenke through his counsel, the Court has not received a declaration on Mr. Boenke's behalf that demonstrates why the material identified in the motion to seal docketed at 339 should be maintained under seal. *See* N.D. Civ. L.R. 79-5(e). The time to respond to the motion docketed at 355 has not yet passed, but it will expire shortly.

The Court is tentatively inclined to file that much of the information designated by Mr. Boenke should be filed in the public record. However, in light of the fact that Mr. Boenke is not a party to this dispute, the Court shall give him a further opportunity to comply with Rule 79-5(e)(1). Accordingly, by no later than April 25, 2016, Mr. Boenke shall submit a declaration setting forth his position on why the materials identified by Defendants may be sealed.

If Mr. Boenke fails to file such a declaration, he is HEREBY ADVISED that the Court is likely to order the materials filed in the public record.

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United States District Court  
Northern District of California

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It is FURTHER ORDERED that Defendants shall serve a copy of this Order on Mr. Boenke.

**IT IS SO ORDERED.**

Dated: April 7, 2016

  
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JEFFREY S. WHITE  
United States District Judge