

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CELLSPIN SOFT, INC.,
Plaintiff,
v.
FITBIT, INC.,
Defendant.

Case No. 17-cv-05928-YGR (KAW)

ORDER TO SHOW CAUSE

Re: Dkt. Nos. 216, 223

On August 5, 2021, Defendants filed an administrative motion to file under seal exhibits in support of their opposition to a pending motion to quash. (Dkt. No. 216.) On August 12, 2021, Defendants filed a second administrative motion to file under seal an exhibit in support of a joint discovery letter. (Dkt. No. 223.) The basis for sealing was that these exhibits were identified by Plaintiff Cellspin Soft, Inc. as confidential. (Dkt. No. 216 at 2; Dkt. No. 223 at 2.)

Per Local Rule 79-5(e), when “the Submitting Party is seeking to file under seal a document designated as confidential by the opposing party . . . (1) [w]ithin 4 days of the filing of the Administrative Motion to File Under Seal, the Designating Party must file a declaration as required by subsection 79-5(d)(1)(A) establishing that all of the designated material is sealable.”

As of the date of this order, Plaintiff has not filed the required declarations. Accordingly, Plaintiff is ordered, within **one week** of the date of this order, to: (1) file the required declarations establishing that the designated material is sealable, and (2) respond to this order to show cause by explaining why it did not file timely declarations. The declarations must be narrowly tailored to information that is sealable and must explain with sufficient detail why the information should be sealed. Failure to comply with this order will result in this Court denying Defendants’ motions to

///

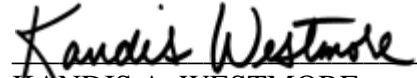
United States District Court
Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

file under seal.

IT IS SO ORDERED.

Dated: August 17, 2021


KANDIS A. WESTMORE
United States Magistrate Judge

United States District Court
Northern District of California