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E-Filed 02/01/2008

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

AGNES SUEVER, et al.,

NO. C 03-00156 RS

Plaintiffs,

ORDER

v.

KATHLEEN CONNELL, et al.,

Defendants.

Defendants' motion filed January 31, 2008 is granted to the following extent and is otherwise denied. Good cause appearing, it is hereby ordered that the following documents be placed under seal pending the a ruling on defendants' motion for a protective order: (1) Exhibits A, B and C to plaintiffs' Motion for Denial or Continuance of Defendants' Motion for Partial Summary Judgment Under FRCP Rule 56(f), filed on December 24, 2007; (2) Exhibits A, B and C to the Declaration of William Palmer in support of that motion; (3) Plaintiffs' Response to Defendants' Motion to Shorten Time for Motion for Protective Order re Privileged Documents, filed on January 17, 2008; (4) Plaintiffs' Opposition to Defendants' Motion for Protective Order re Privileged Documents, filed on January 23, 2008; and (5) Exhibit B to the Declaration of Antonio Negrete in support of that motion.

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This ruling is without prejudice to plaintiffs' arguments that the documents have been publicly available from other sources, and that the documents were first publicly filed in this action over a month ago but defendants did not seek relief at that time.

IT IS SO ORDERED.

Dated: February 1, 2008



RICHARD SEEBORG
United States Magistrate Judge