

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  
28E-FILED on 5/6/10

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

ARISTOCRAT TECHNOLOGIES,  
AUSTRALIA PTY LIMITED and  
ARISTOCRAT TECHNOLOGIES, INC.,

Plaintiffs,

v.

INTERNATIONAL GAME TECHNOLOGY  
and IGT,

Defendants.

No. C-06-03717 RMW

ORDER REGARDING MOTION TO SEAL

**[Re Docket No. 784]**

Plaintiffs Aristocrat Technologies, Australia PTY Limited, and Aristocrat Technologies, Inc. (collectively "Aristocrat") move to file under seal portions of its opposition to IGT's motion for leave to file first supplemental answer and counterclaims as well as portions of Exhibit 1 and all of Exhibits 2 through 6 to the Declaration of Jeremy T. Elman in support thereof.

A request to seal must establish that the document, or portions thereof, is privileged or protectable as a trade secret or otherwise entitled to protection under the law. Civ. L. R. 79-5(a). The request must be narrowly tailored to seek sealing of only sealable material. *Id.* Having reviewed the material that Aristocrat seek to file under seal, the court has concerns about the extent of material which Aristocrat seeks to file under seal. With respect to Aristocrat's opposition to IGT's motion for leave to file first supplemental answer and counterclaims, it appears that there is no basis

1 for sealing lines 8-14 on page 9. As for Exhibit 1 to the Declaration of Jeremy T. Elman, it appears  
2 that there is no basis for sealing the redacted portions of pages 40-43 and 50-53. The court therefore  
3 orders Aristocrat to explain why these portions are sealable. If Aristocrat does not submit an  
4 explanation establishing that this material is sealable by May 14, 2010, the motion to seal will be  
5 denied.

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

DATED: 5/6/10

  
\_\_\_\_\_  
RONALD M. WHYTE  
United States District Judge

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

**Notice of this document has been electronically sent to:**

**Counsel for Plaintiffs:**

Anthony R. de Alcaeus	adealcuaz@mwe.com
Terrence Patrick McMahon	tcmahon@mwe.com
Jeremy Todd Elman	jelman@mwe.com
Robert J. Blanch, Jr.	rblanch@mwe.com
Phillip C. Ducker	pducker@mwe.com

**Counsel for Defendants:**

Jeffrey Stewart Love	jeffrey.love@klarquist.com
Daniel Justin Weinberg	dweinberg@orrick.com
Gabriel M. Ramsey	gramsey@orrick.com
Garth Alan Winn	garth.winn@klarquist.com
Kristin L. Cleveland	kristin.cleveland@klarquist.com
Laura Kieran Kieckhefer	kkieckhefer@orrick.com
Michael J. Bettinger	mike.bettinger@klgates.com
Patrick Marshall Bible	patrick.bible@klarquist.com
Robert T. Cruzen	rob.cruzen@klarquist.com
Stephanie Sue Nelson	stephanie.nelson@klarquist.com
Eric Lance Wesenberg	ewesenberg@orrick.com

Counsel are responsible for distributing copies of this document to co-counsel that have not registered for e-filing under the court's CM/ECF program.

**Dated:** 5/6/10

CCL  
**Chambers of Judge Whyte**