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15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA (SAN JOSE)

17 Louis Vuitton Malletier, S.A.,  
18 Plaintiff,

19 v.

20 Akanoc Solutions, Inc., et al.  
21 Defendants.

)  
) Case No. CV 08-4129 SVW (FFMx)

)  
) PLAINTIFF'S ADMINISTRATIVE  
) MOTION TO FILE UNDER SEAL  
) EXHIBIT A TO PLAINTIFF'S NOTICE  
) AND MOTION FOR MODIFICATION  
) OF ORDER FOR INSPECTION AND  
) SANCTIONS; DECLARATION OF J.  
) ANDREW COOMBS IN SUPPORT

)  
) Local Rule 79-5(c)  
)  
)  
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22 Plaintiff Louis Vuitton Malletier, S.A. ("Plaintiff") hereby does move the Court, pursuant to  
23 the Northern District Local Rule 79-5(c), for an order requiring that Exhibit A ("Exhibit") to  
24 Plaintiff's Notice and Motion for Modification of Order for Inspection and Sanctions ("Motion")  
25 be filed under seal, until such time as the court orders otherwise.

26 Good cause exists for Plaintiff's request pursuant to paragraph 5 of the Court's March 10,  
27 2009, Order re Discovery Protocol, as the documents may be deemed as produced during the  
28 inspection and covered under the protective order.

Thus, Plaintiff seeks an order from the Court to have the Exhibit filed under seal without  
waiving any of its rights to challenge any designation made by Defendants. This order is sought

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pursuant to the Court's equitable powers. See, e.g., *Crystal Grower's Corp. v. Dobbins*, 616 F.2d 458, 461 (10th Cir. 1980).

Dated: April 14, 2009

J. Andrew Coombs, A Professional Corp.

By: /s/ J. Andrew Coombs

J. Andrew Coombs

Annie S. Wang

Attorneys for Plaintiff Louis Vuitton Malletier, S.A.

1 **DECLARATION OF J. ANDREW COOMBS**

2 I, J. ANDREW COOMBS, declare as follows:

3 1. I am a member of the Bar of this Court and an officer of J. Andrew Coombs, A  
4 Professional Corporation, counsel of record for Plaintiff Louis Vuitton Malletier, S.A. (“Plaintiff”)  
5 in this Action. Except as otherwise expressly stated to the contrary, I have personal knowledge of  
6 the following facts and, if called as a witness, I could and would competently testify thereto.

7 2. Paragraph 5 of the Court’s March 10, 2009, Order re Discovery Protocol, provides  
8 for coverage under the protective order of “documents produced” and each party to have 20 days to  
9 designate material as confidential. I am informed and believe that though the document may not be  
10 considered part of the “production” from the inspection and is arguably not able to be designated as  
11 “Confidential” by Defendants, in an abundance of caution, the photographs taken of Defendants’  
12 computer screens from the date of the inspection are nevertheless being requested to be filed under  
13 seal.

14 I declare under penalty of perjury under the laws of the United States of America that the  
15 foregoing is true and correct.

16 Executed this 14<sup>th</sup> day of April, 2009, at Glendale, California.

17  
18 /s/ J. Andrew Coombs  
19 J. ANDREW COOMBS