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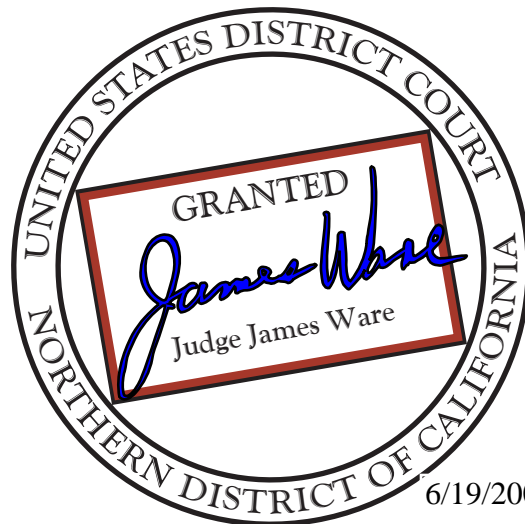
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Attorneys for Defendants

Akanoc Solutions, Inc.,

Managed Solutions Group, Inc.

and Steven Chen



6/19/2008

**UNITED STATES DISTRICT COURT****NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

LOUIS VUITTON MALLETIER, S.A.,

Plaintiff,

vs.

AKANOC SOLUTIONS, INC., et al.,

Defendants.

Case No.: C 07-3952 JW (HRL)

**DEFENDANTS' ADMINISTRATIVE  
MOTION FOR A SEALING ORDER  
PURSUANT TO LOCAL RULE 79-5(d)**

Judge: Hon. James Ware

1 Defendants Akanoc Solutions, Inc., Managed Solutions Group, Inc. and Steve Chen  
2 (Defendants”) respectfully submit the following Administrative Motion for a Sealing Order to file  
3 deposition pages designated “Highly Confidential-Attorney’s Eyes Only” by plaintiff Louis Vuitton  
4 Malletier, S.A. (“Vuitton”).

5 **I. RELIEF REQUESTED**

6 1. Pursuant to Local Rules 79-5(d) and 7-11, Defendants request an Order sealing pages  
7 22-28 and 61-62 of the deposition transcript of Vuitton’s Rule 30(b)(6) designee, Nikolay Livadkin,  
8 attached as part of **Exhibit “1502”** to Defendants’ Motion for Summary Judgment. Pursuant to  
9 Local Rule 79-5(d), a redacted version of **Exhibit “1502”** (designated **Exhibit “1502A”**) and an  
10 unredacted version of **Exhibit “1502”** have been lodged herewith.

11 2. If pages 22-28 and 61-62 of the Livadkin deposition transcript are ordered sealed,  
12 Defendants request that the unredacted version of **Exhibit “1502”** be filed under seal and the  
13 redacted **Exhibit “1502A”** be substituted for the version of **Exhibit “1502”** filed by Defendants on  
14 May 19, 2008 (Document 51).

15 **II. RELEVANT FACTS**

16 The stipulated protective order filed as Document 19 in this case provides in part that parties  
17 may designate documents as “Highly Confidential-Attorney’s Eyes Only.” Sections 2.4 A courtesy  
18 copy of same is included with the Chambers copies submitted herewith. Section 2.4 of the stipulated  
19 protective order defines “Highly Confidential-Attorney’s Eyes Only” as “extremely sensitive  
20 “Confidential Information or Items” whose disclosure to another Party or non-party would create a  
21 substantial risk of serious injury that could not be avoided by less restrictive means.”

22 On May 19, 2008 Defendants filed a Motion for Summary Judgment. The motion included  
23 excerpts from the deposition transcript of plaintiff Louis Vuitton Malletier, S.A.’s (“Vuitton”) Rule  
24 30(b)(6) designee, Nikolay Livadkin.

25 On May 22, 2008 Vuitton’s counsel informed Defendants it was designating pages 12-39,  
26 40-44, 52-62, 185-190 and 196-197 of Mr. Livadkin’s deposition transcript, as Highly Confidential –  
27 Attorney’s Eyes Only pursuant to Section 5.2 of the Stipulated Protective Order. The pages Vuitton  
28 designated included nine pages, 22-28 and 61-62, that had been included as part of Defendants’

1 **Exhibit “1502”** filed with their summary judgment motion on May 19, 2008.

2 The parties could not agree to stipulate to a sealing order because Defendants do not agree  
3 with Vuitton that pages 22-28 and 61-62 of the Livadkin deposition transcript contain confidential  
4 information entitled to protection under the stipulated protective order.

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6 **III. A PARTY THAT WISHES TO FILE A DOCUMENT DESIGNATED**  
7 **CONFIDENTIAL BY ANOTHER PARTY PURSUANT TO A PROTECTIVE**  
8 **ORDER MUST FILE AN ADMINISTRATIVE MOTION FOR A SEALING ORDER**

9 Local Rule 79-5(d) requires that a party who “wishes to file a document that has been  
10 designated confidential by another party pursuant to a protective order” . . . “must file and serve an  
11 Administrative Motion for a sealing order and lodge the document, memorandum or other filing in  
12 accordance with this rule.”

13 Local Rule 79-5(d) further states that “[i]f only a portion of the document, memorandum or  
14 other filing is sealable, the submitting party must also lodge with the Court a redacted version of the  
15 document, memorandum or other filing to be placed in the public record if the Court approves the  
16 requested sealing order.”

17 Pursuant to Local Rule 79-5(d), a redacted version of **Exhibit “1502”** (designated **Exhibit**  
18 **“1502A”**) and an unredacted version of **Exhibit “1502”** have been lodged herewith. If the Court  
19 approves the requested sealing order, Defendants request that the unredacted version of **Exhibit**  
20 **“1502”** be filed under seal and the redacted **Exhibit “1502A”** be substituted for the version of  
21 **Exhibit “1502”** filed by Defendants on May 19, 2008 (Document 51).

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1 **IV. CONCLUSION**

2 Pursuant to Local Rule 79-5(d), Defendants respectfully request that if the Court approves  
3 the requested sealing order, the unredacted version of **Exhibit “1502”** be filed under seal and the  
4 redacted **Exhibit “1502A”** be substituted for the version of **Exhibit “1502”** filed by Defendants on  
5 May 19, 2008 (Document 51).

6  
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8 Dated: May 29, 2008

**GAUNTLETT & ASSOCIATES**

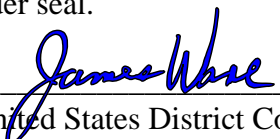
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10 By: s/James A. Lowe  
11 David A. Gauntlett  
12 James A. Lowe  
13 Brian S. Edwards

14 Attorneys for Defendants  
15 Akanoc Solutions, Inc.,  
16 Managed Solutions Group, Inc.,  
17 and Steven Chen

18 **IT IS SO ORDERED**

19 The requested document is GRANTED to be filed under seal.

20 Dated: June 19, 2008

21   
22 United States District Court