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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SYNTHES USA, LLC (f/k/a SYNTHES
(U.S.A.)),

Plaintiff,

v.

SPINAL KINETICS, INC.,

Defendant.

CASE NO. 5:09-CV-01201 RMW

~~PROPOSED~~ ORDER GRANTING
SPINAL KINETICS, INC.'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL: (1) SPINAL KINETICS'
SUBMISSION RE: NON-
INFRINGEMENT POSITIONS THAT
SYNTHES WAS ON NOTICE DURING
FACT AND EXPERT DISCOVERY
PERIODS; AND (2) CERTAIN EXHIBITS
IN SUPPORT THEREOF

AND RELATED COUNTERCLAIMS.

Hon. Ronald M. Whyte

1 The Court, having considered Spinal Kinetics, Inc.'s Administrative Motion To File
2 Under Seal: (1) Spinal Kinetics' Submission re: Non-infringement Positions that Synthes was on
3 Notice of During the Fact and Expert Discovery Periods ("Submission") and (2) Certain Exhibits
4 in support thereof as well as the Declaration of Ehab M. Samuel in support of the Administrative
5 Motion, finds that good cause exists pursuant to Civil Local Rule 79-5 and hereby orders that the
6 Administrative Motion to File Under Seal is **GRANTED** in its entirety.

7 The clerk shall maintain under Seal the Confidential Version of (1) Spinal Kinetics'
8 Submission re: Non-infringement Positions that Synthes was on Notice of During the Fact and
9 Expert Discovery Periods; and (2) Exhibits B, I, J, L, M, N, and Q in support.

10 **IT IS SO ORDERED.**

11
12 Dated: November 23, 2011



13 HON. RONALD M. WHYTE
14 United States District Judge