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

LANSMONT CORPORATION,

CASE NO. 5:10-cv-05860 EJD

Plaintiff(s),

**ORDER RE: COMPLIANCE WITH CIVIL
LOCAL RULE 79-5(d)**

v.

SPX CORPORATION, et. al.,

[Docket Item No(s). 90]

Defendant(s).

Presently before the court is Defendant SPX Corporation’s (“Defendant”) administrative motion to file under seal certain documents previously designated as confidential by Plaintiff Lansmont Corporation (“Plaintiff”). See Docket Item No. 90.

Civil Local Rule 79-5(d) states:

If a party wishes to file a document that has been designated confidential by another party pursuant to a protective order, or if a party wishes to refer in a memorandum or other filing to information so designated by another party, the submitting party must file and serve an Administrative Motion for a sealing order and lodge the document, memorandum or other filing in accordance with this rule. If only a portion of the document, memorandum or other filing is sealable, the submitting party must also lodge with the Court a redacted version of the document, memorandum or other filing to be placed in the public record if the Court approves the requested sealing order. *Within 7 days thereafter, the designating party must file with the Court and serve a declaration establishing that the designated information is sealable, and must lodge and serve a narrowly tailored proposed sealing order, or must withdraw the designation of confidentiality.* If the designating party does not file its responsive declaration as required by this subsection, the document or proposed filing will be made part of the public record.


1 Defendant's administrative motion was filed on July 26, 2012. From that date, Plaintiff's
2 declaration pursuant to Civil Local Rule 79-5 should have been filed on or before August 2, 2012.
3 See Fed. R. Civ. P. 6; see also Civ. L.R. 1-5(c). To date no such declaration has been filed.¹

4 Accordingly, the court extends the deadline for Plaintiff to file a declaration pursuant to Civil
5 Local Rule 79-5 until **Friday, August 17, 2012, at 4:00 p.m.** Plaintiff is notified that failure to file
6 a compliant declaration by the extended deadline will result in an order denying Defendant's
7 administrative motion and directing Defendant to file all documents as part of the public record,
8 even those previously designated as confidential.

9 **IT IS SO ORDERED.**

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11 Dated: August 15, 2012


EDWARD J. DAVILA
United States District Judge

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¹ The document which purports to be an response to the sealing motion pursuant to its description on the docket (see Docket Item No. 94) actually appears to be an opposition to a motion for summary judgment.