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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KONINKLIJKE PHILIPS N.V., et al.,
Plaintiffs,
v.
ELEC-TECH INTERNATIONAL CO.,
LTD., et al.,
Defendants.

Case No. [14-cv-02737-BLF](#)

**ORDER GRANTING PLANTIFFS'
REQUEST TO FILE DOCUMENT
UNDER SEAL**

[Re: ECF 84, 99]

On February 10, 2015, the Court granted in part and denied in part a request by Plaintiffs to file certain documents under seal. *See* Sealing Order, ECF 98. In that Order, the Court denied without prejudice a request to file exhibit 50 to the Declaration of Lawrence James under seal because the declaration submitted in support of the sealing request, the Chan Declaration, failed to “provide a particularized showing as to why this document should be sealed.” Sealing Order at 3.

Now, Ms. Chan offers the Court a second supplemental declaration, *see* ECF 99, which provides this particularized showing. She states that exhibit 50 includes “a series of emails that reflect[] ETI’s confidential recruitment efforts . . . , including details about specific areas of technical expertise desired by ETI.” Chan Supp. Decl. ¶ 6. This information, Ms. Chan declares, “if publicized, could result in substantial competitive harm to ETI,” *id.* at ¶ 7, which could be used by ETI’s competitors to “undercut ETI’s efforts to develop a world-class LED business.” *Id.*


The Court in its prior sealing order granted Plaintiffs’ request to seal similar exhibits which contained emails regarding recruitment efforts. *See* Sealing Order at 2. Here, the Court finds similarly that Plaintiffs’ request to seal exhibit 50 meets the “compelling reasons” standard for sealing as articulated in *Phillips ex rel. Estates of Byrd v. General Motors Corp.*, 307 F.3d 1206, 1213 (9th Cir. 2002). The Court further finds that the sealing request is narrowly tailored in

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conformance with Civil Local Rule 79-5(d)(1)(C). The Court therefore GRANTS Plaintiffs' request to seal exhibit 50 to the James Declaration in its entirety.

IT IS SO ORDERED.

Dated: February 12, 2015


BETH LABSON FREEMAN
United States District Judge