

"compelling reasons" that outweigh the general history of access and the public policies favoring disclosure. <u>Id.</u> at 1178-79.

Records attached to non-dispositive motions, however, are not subject to the 3 strong presumption of access. Because the documents attached to non-dispositive 4 motions "are often unrelated, or only tangentially related, to the underlying cause of 5 action," parties moving to seal must meet the lower "good cause" standard of Rule 6 26(c). Id. at 1179. A blanket protective order is not itself sufficient to show good cause 7 for sealing particular documents. See Foltz v. State Farm Mutual Auto. Ins. Co., 331 8 9 F.3d 1122, 1133 (9th Cir. 2003) ("[A] party seeking the protection of the court via a blanket protective order typically does not make a 'good cause' showing required by 10 Rule 26(c) with respect to any particular document."); see also Kamakana, 447 F.3d at 11 1183; Beckman Indus., Inc., 966 F.2d at 475-76. 12

13

1

2

DISCUSSION

The Court has considered each of the documents the parties have designated
for sealing and, as articulated in the table below, determined which documents may
remain under seal or redacted and which documents must be unsealed.

Dk	t. Request	Result
No		
122	Exhibits to Declaration	Plaintiffs' request on behalf of Defendants to
	of Manuel J. Velez in	seal Exhibits 3-6, 8-10, 21, and 23, containing
	support of Plaintiffs'	records of Implant Direct internal
	Motion for Spoliation	communications and excerpted deposition
	and Discovery Abuses	testimony, is GRANTED as potentially
	Sanctions	prejudicial business information consistent
	//	with the protective order entered by the Court
	//	on April 28, 2011.
	//	//
	//	//

1257Exhibit to Declaration of Christopher J. Drugger in seal Exhibit 1, containing one page of the expert report of John B. Brunski, is3Opposition to Plaintiffs' Opposition to Strike Invalidity Contentions and Authorities in Support of Defendants' expert report of April 28, 2011.7281Memorandum of Points Defendants' request to seal Defendants' and Authorities in Support of Defendants' request to seal Defendants' and Authorities in Memorandum of Points and Authorities and Support of Defendants' Exhibits 2, 3, 5, 6, and 7, containing expert report excerpts, deposition excerpts, and Amend the Answer and Plaintiffs' interrogatory response excerpts, is Exhibits to the Declaration of Consistent with the protective order entered by Christopher Drugger the Court on April 28, 2011.13Declaration of Consistent with the protective order entered by Christopher Drugger the Court on April 28, 2011.14Declaration of Consistent with the protective order entered by Christopher Drugger the Court on April 28, 2011.15292Exhibits to the Declaration of Manuel J. Containing Plaintiffs' responses to Defendants' velez in support of Defendants' Motion to business or confidential proprietary Clarify or Amend information consistent with the protective Answer order entered by the Court on April 28, 2011.12302Reply Memorandum of Defendants' Exhibits 2-4, containing representative copies Motion to Clarify or Answer, and GRANTED as proprietary information Clarify or Amend information consistent with the protective order entered by Exhibits 2-4, containing representative copies Motion to Clarify or Amend the Answer, and GRANTED as prop				
3Sear Extinon 1, containing one page of the3support of Defendants'expert report of John B. Brunski, is4Opposition to Plaintiffs'GRANTED as proprietary information5Motion to Strikeconsistent with the protective order entered by6Invalidity Contentionsthe Court on April 28, 2011.7281Memorandum of PointsDefendants' request to seal Defendants'8and Authorities inMemorandum of Points and Authorities and9Support of Defendants'Exhibits 2, 3, 5, 6, and 7, containing expert10Motion to Clarify orreport excerpts, deposition excerpts, and11Amend the Answer andPlaintiffs' interrogatory response excerpts, is12Exhibits to theGRANTED as proprietary information13Declaration ofconsistent with the protective order entered by14Christopher Druggerthe Court on April 28, 2011.15292Exhibits to thePlaintiffs' request to seal Exhibits 5 and 6,16Declaration of Manuel J.containing Plaintiffs' responses to Defendants17Velez in support ofinterrogatories, is GRANTED as previously18Plaintiffs' Opposition tosealed and containing potentially prejudicial19Defendants' Motion tobusiness or confidential proprietary20Clarify or Amendinformation consistent with the protective21Answerorder entered by the Court on April 28, 2011.22Support of Defendants'Exhibits 2-4, containing representative copies <td>1</td> <td>257</td> <td>Exhibit to Declaration of</td> <td>Defendants' request on behalf of Plaintiffs to</td>	1	257	Exhibit to Declaration of	Defendants' request on behalf of Plaintiffs to
4Opposition to Plaintiffs'GRANTED as proprietary information5Motion to Strikeconsistent with the protective order entered by6Invalidity Contentionsthe Court on April 28, 2011.7281Memorandum of PointsDefendants' request to seal Defendants'8and Authorities inMemorandum of Points and Authorities and9Support of Defendants'Exhibits 2, 3, 5, 6, and 7, containing expert10Motion to Clarify orreport excerpts, deposition excerpts, and11Amend the Answer andPlaintiffs' interrogatory response excerpts, is12Exhibits to theGRANTED as proprietary information13Declaration ofconsistent with the protective order entered by14Christopher Druggerthe Court on April 28, 2011.15292Exhibits to thePlaintiffs' request to seal Exhibits 5 and 6,16Declaration of Manuel J.containing Plaintiffs' responses to Defendants17Velez in support ofinterrogatories, is GRANTED as previously18Plaintiffs' Opposition tosealed and containing potentially prejudicial19Defendants' Motion tobusiness or confidential proprietary20Clarify or Amendinformation consistent with the protective21302Reply Memorandum ofDefendants' request to seal Defendants'23Points and Authorities inMemorandum of Points and Authorities and24Support of Defendants'Exhibits 2-4, containing representative copies23Amend the Answer, and<	2		Christopher J. Drugger in	seal Exhibit 1, containing one page of the
5Opposition to PraintingORANTED as proprietary information5Motion to Strikeconsistent with the protective order entered by6Invalidity Contentionsthe Court on April 28, 2011.7281Memorandum of PointsDefendants' request to seal Defendants'8and Authorities inMemorandum of Points and Authorities and9Support of Defendants'Exhibits 2, 3, 5, 6, and 7, containing expert10Motion to Clarify orreport excerpts, deposition excerpts, and11Amend the Answer andPlaintiffs' interrogatory response excerpts, is12Exhibits to theGRANTED as proprietary information13Declaration ofconsistent with the protective order entered by14Christopher Druggerthe Court on April 28, 2011.15292Exhibits to thePlaintiffs' request to seal Exhibits 5 and 6,16Declaration of Manuel J.containing Plaintiffs' responses to Defendants17Velez in support ofinterrogatories, is GRANTED as previously18Plaintiffs' Opposition tosealed and containing potentially prejudicial19Defendants' Motion tobusiness or confidential proprietary20Clarify or Amendinformation consistent with the protective21Answerorder entered by the Court on April 28, 2011.22Exhibits and Authorities inMemorandum of Points and Authorities and23Defendants' Motion tobusiness or confidential proprietary24Support of Defendants'Exhibits 2-4, contain	3		support of Defendants'	expert report of John B. Brunski, is
6Invalidit to StrikeConsistent with the protective order entered by the Court on April 28, 2011.7281Memorandum of PointsDefendants' request to seal Defendants'8and Authorities inMemorandum of Points and Authorities and9Support of Defendants'Exhibits 2, 3, 5, 6, and 7, containing expert10Motion to Clarify orreport excerpts, deposition excerpts, and11Amend the Answer andPlaintiffs' interrogatory response excerpts, is12Exhibits to theGRANTED as proprietary information13Declaration ofconsistent with the protective order entered by14Christopher Druggerthe Court on April 28, 2011.15292Exhibits to thePlaintiffs' request to seal Exhibits 5 and 6,16Declaration of Manuel J.containing Plaintiffs' responses to Defendants17Velez in support ofinterrogatories, is GRANTED as previously18Plaintiffs' Opposition tosealed and containing potentially prejudicial19Defendants' Motion tobusiness or confidential proprietary20Clarify or Amendinformation consistent with the protective21Answerorder entered by the Court on April 28, 2011.22Support of Defendants'Exhibits 2-4, containing representative copies23Points and Authorities inMemorandum of Points and Authorities and24Support of Defendants'Exhibits 2-4, containing representative copies25Motion to Clarify orof Plaintiffs' distribution agreements, is<	4		Opposition to Plaintiffs'	GRANTED as proprietary information
Invalidity ContentionsIne Control April 28, 2011.281Memorandum of PointsDefendants' request to seal Defendants'and Authorities inMemorandum of Points and Authorities and9Support of Defendants'Exhibits 2, 3, 5, 6, and 7, containing expert10Motion to Clarify orreport excerpts, deposition excerpts, and11Amend the Answer andPlaintiffs' interrogatory response excerpts, is12Exhibits to theGRANTED as proprietary information13Declaration ofconsistent with the protective order entered by14Christopher Druggerthe Court on April 28, 2011.15292Exhibits to thePlaintiffs' request to seal Exhibits 5 and 6,16Declaration of Manuel J.containing Plaintiffs' responses to Defendants17Velez in support ofinterrogatories, is GRANTED as previously18Plaintiffs' Opposition tosealed and containing potentially prejudicial19Defendants' Motion tobusiness or confidential proprietary20Clarify or Amendinformation consistent with the protective21Answerorder entered by the Court on April 28, 2011.22Support of Defendants'Exhibits 2-4, containing representative copies23Memorandum ofDefendants' request to seal Defendants'24Support of Defendants'Exhibits 2-4, containing representative copies25Motion to Clarify orof Plaintiffs' distribution agreements, is26Amend the Answer, andGRANTED as proprietary information<	5		Motion to Strike	consistent with the protective order entered by
8and Authorities inDefinitiation request to see Definitiants9Support of Defendants'Exhibits 2, 3, 5, 6, and 7, containing expert10Motion to Clarify orreport excerpts, deposition excerpts, and11Amend the Answer andPlaintiffs' interrogatory response excerpts, is12Exhibits to theGRANTED as proprietary information13Declaration ofconsistent with the protective order entered by14Christopher Druggerthe Court on April 28, 2011.15292Exhibits to thePlaintiffs' request to seal Exhibits 5 and 6,16Declaration of Manuel J.containing Plaintiffs' responses to Defendants17Velez in support ofinterrogatories, is GRANTED as previously18Plaintiffs' Opposition tosealed and containing potentially prejudicial19Defendants' Motion tobusiness or confidential proprietary20Clarify or Amendinformation consistent with the protective21Answerorder entered by the Court on April 28, 2011.22302Reply Memorandum of23Defendants'Exhibits 2-4, containing representative copies24Support of Defendants'Exhibits 2-4, containing representative copies25Motion to Clarify orof Plaintiffs' distribution agreements, is26Amend the Answer, andGRANTED as proprietary information27Exhibits to the Decl. ofconsistent with the protective order entered by28Christibits to the Decl. ofconsistent with the protective order ente	6		Invalidity Contentions	the Court on April 28, 2011.
9Internation fieldInternation for formation of formation field internation9Support of Defendants'Exhibits 2, 3, 5, 6, and 7, containing expert10Motion to Clarify orreport excerpts, deposition excerpts, and11Amend the Answer andPlaintiffs' interrogatory response excerpts, is12Exhibits to theGRANTED as proprietary information13Declaration ofconsistent with the protective order entered by14Christopher Druggerthe Court on April 28, 2011.15292Exhibits to thePlaintiffs' request to seal Exhibits 5 and 6,16Declaration of Manuel J.containing Plaintiffs' responses to Defendants17Velez in support ofinterrogatories, is GRANTED as previously18Plaintiffs' Opposition tosealed and containing potentially prejudicial19Defendants' Motion tobusiness or confidential proprietary20Clarify or Amendinformation consistent with the protective21Answerorder entered by the Court on April 28, 2011.22302Reply Memorandum ofDefendants' request to seal Defendants'23Points and Authorities inMemorandum of Points and Authorities and24Support of Defendants'Exhibits 2-4, containing representative copies25Motion to Clarify orof Plaintiffs' distribution agreements, is26Amend the Answer, andGRANTED as proprietary information27Exhibits to the Decl. ofconsistent with the protective order entered by	7	281	Memorandum of Points	Defendants' request to seal Defendants'
10DependenceDefendantsDefendants10Motion to Clarify or Amend the Answer and Declaration ofPlaintiffs' interrogatory response excerpts, is12Exhibits to the Declaration ofGRANTED as proprietary information consistent with the protective order entered by14Christopher Druggerthe Court on April 28, 2011.15292Exhibits to the Declaration of Manuel J.Plaintiffs' request to seal Exhibits 5 and 6, containing Plaintiffs' responses to Defendants17Velez in support of Defendants' Motion to Clarify or Amend Amswerinterrogatories, is GRANTED as previously18Plaintiffs' Opposition to Defendants' Motion to Defendants' Motion to Defendants' request to seal Defendants'10Support of Defendants' Points and Authorities in Support of Defendants' request to seal Defendants'10Support of Defendants' Points and Authorities in Support of Defendants' request to seal Defendants'12Support of Defendants' Points and Authorities in Support of Defendants'13Support of Defendants' Exhibits 2-4, containing representative copies Motion to Clarify or Support of Plaintiffs' distribution agreements, is GRANTED as proprietary information consistent with the protective order entered by Christian due the Answer, and GRANTED as proprietary information12Amend the Answer, and Exhibits to the Decl. of Christian due the Decl. ofGrastent with the protective order entered by consistent with the protective order entered by	8		and Authorities in	Memorandum of Points and Authorities and
11Amend the Answer and Exhibits to thePlaintiffs' interrogatory response excerpts, is12Exhibits to theGRANTED as proprietary information13Declaration of Christopher Druggerconsistent with the protective order entered by the Court on April 28, 2011.15292Exhibits to thePlaintiffs' request to seal Exhibits 5 and 6, Interrogatories, is GRANTED as previously16Declaration of Manuel J. Velez in support of Plaintiffs' Opposition to Defendants' Motion tosealed and containing potentially prejudicial business or confidential proprietary19Defendants' Motion to Vanwerbusiness or confidential proprietary20Clarify or Amend Answerinformation consistent with the protective order entered by the Court on April 28, 2011.21302Reply Memorandum of Defendants'Defendants' request to seal Defendants' Memorandum of Points and Authorities and Support of Defendants'23Motion to Clarify or Amend the Answer, and Exhibits 2-4, containing representative copies Motion to Clarify orGRANTED as proprietary information consistent with the protective order entered by foliation agreements, is24Support of Defendants' Amend the Answer, and Exhibits to the Decl. of Consistent with the protective order entered by consistent with the protective orde	9		Support of Defendants'	Exhibits 2, 3, 5, 6, and 7, containing expert
12Function and the Answer and Exhibits to the Declaration of Christopher DruggerFunction of consistent with the protective order entered by the Court on April 28, 2011.13292Exhibits to the Declaration of Manuel J. Velez in support of Plaintiffs' request to seal Exhibits 5 and 6, interrogatories, is GRANTED as previously sealed and containing potentially prejudicial business or confidential proprietary (Clarify or Amend Answer19Defendants' Motion to Clarify or Amend Support of Defendants' request to seal Defendants' Defendants' Reply Memorandum of Support of Defendants' request to seal Defendants' Points and Authorities in Support of Defendants' Exhibits 2-4, containing representative copies Motion to Clarify or Amend the Answer, and GRANTED as proprietary information Clariffs' distribution agreements, is24Support of Defendants' Amend the Answer, and Exhibits 2-4, containing representative copies Motion to Clarify or Clariffs' distribution agreements, is25Amend the Answer, and Exhibits to the Decl. of Exhibits to the Decl. of27Exhibits to the Decl. of Christ and Authorities and Exhibits to the Decl. of	10		Motion to Clarify or	report excerpts, deposition excerpts, and
13Declaration of Christopher DruggerOrder (112) as proprietary information13Declaration of Christopher Druggerconsistent with the protective order entered by the Court on April 28, 2011.15292Exhibits to thePlaintiffs' request to seal Exhibits 5 and 6, Declaration of Manuel J. containing Plaintiffs' responses to Defendants17Velez in support of Plaintiffs' Opposition to Defendants' Motion to Clarify or Amend Answersealed and containing potentially prejudicial proprietary19Defendants' Motion to Clarify or Amend Answerbusiness or confidential proprietary order entered by the Court on April 28, 2011.20Reply Memorandum of Points and Authorities in Support of Defendants' request to seal Defendants'23Points and Authorities in Memorandum of Points and Authorities and Support of Defendants'24Support of Defendants' Amend the Answer, and Exhibits 2-4, containing representative copies Motion to Clarify or Amend the Answer, and GRANTED as proprietary information27Exhibits to the Decl. of Christian In Points and Authorities order entered by Christian Information	11		Amend the Answer and	Plaintiffs' interrogatory response excerpts, is
14Definition of Christopher Druggerthe Court on April 28, 2011.15292Exhibits to thePlaintiffs' request to seal Exhibits 5 and 6,16Declaration of Manuel J.containing Plaintiffs' responses to Defendants17Velez in support ofinterrogatories, is GRANTED as previously18Plaintiffs' Opposition tosealed and containing potentially prejudicial19Defendants' Motion tobusiness or confidential proprietary20Clarify or Amendinformation consistent with the protective21Answerorder entered by the Court on April 28, 2011.22302Reply Memorandum ofDefendants' request to seal Defendants'23Points and Authorities inMemorandum of Points and Authorities and24Support of Defendants'Exhibits 2-4, containing representative copies25Motion to Clarify orof Plaintiffs' distribution agreements, is26Amend the Answer, andGRANTED as proprietary information27Exhibits to the Decl. ofconsistent with the protective order entered by	12		Exhibits to the	GRANTED as proprietary information
15292Exhibits to thePlaintiffs' request to seal Exhibits 5 and 6,16Declaration of Manuel J.containing Plaintiffs' responses to Defendants17Velez in support ofinterrogatories, is GRANTED as previously18Plaintiffs' Opposition tosealed and containing potentially prejudicial19Defendants' Motion tobusiness or confidential proprietary20Clarify or Amendinformation consistent with the protective21Answerorder entered by the Court on April 28, 2011.22302Reply Memorandum ofDefendants' request to seal Defendants'23Points and Authorities inMemorandum of Points and Authorities and24Support of Defendants'Exhibits 2-4, containing representative copies25Motion to Clarify orof Plaintiffs' distribution agreements, is26Amend the Answer, andGRANTED as proprietary information27Exhibits to the Decl. ofconsistent with the protective order entered by	13		Declaration of	consistent with the protective order entered by
16Declaration of Manuel J.containing Plaintiffs' responses to Defendants17Velez in support ofinterrogatories, is GRANTED as previously18Plaintiffs' Opposition tosealed and containing potentially prejudicial19Defendants' Motion tobusiness or confidential proprietary20Clarify or Amendinformation consistent with the protective21Answerorder entered by the Court on April 28, 2011.22302Reply Memorandum ofDefendants' request to seal Defendants'23Points and Authorities inMemorandum of Points and Authorities and24Support of Defendants'Exhibits 2-4, containing representative copies25Motion to Clarify orof Plaintiffs' distribution agreements, is26Amend the Answer, andGRANTED as proprietary information27Exhibits to the Decl. ofconsistent with the protective order entered by	14		Christopher Drugger	the Court on April 28, 2011.
17Velez in support of Plaintiffs' Opposition to Defendants' Motion to Clarify or Amendinterrogatories, is GRANTED as previously sealed and containing potentially prejudicial business or confidential proprietary information consistent with the protective Order entered by the Court on April 28, 2011.20Clarify or Amend Answerinformation consistent with the protective order entered by the Court on April 28, 2011.21Answerorder entered by the Court on April 28, 2011.22302Reply Memorandum of Points and Authorities in Support of Defendants'Defendants' request to seal Defendants'23Motion to Clarify or Motion to Clarify orof Plaintiffs' distribution agreements, is24Support of Defendants' Amend the Answer, and Exhibits to the Decl. of Consistent with the protective order entered by27Charita da Defendent of Charita da Defendence28Of Plaintiffs' distribution agreements, is29Clarita da Defendence Support of Defendence29Of Plaintiffs' distribution agreements, is29Of Plaintiffs' distribution agreements, is29Of Plaintiffs' distribution agreements, is29Of Plaintiffs' distribution agreements, is29Of Plaintiffs' distribution agreements, is20Of Defendence Defendence21Of Defendence22Of Defendence23Of Plaintiffs' distribution agreements, is24Of Defendence25Of Defendence26Of Defendence27Of Defendence28Of	15	292	Exhibits to the	Plaintiffs' request to seal Exhibits 5 and 6,
18Plaintiffs' Opposition to Defendants' Motion tosealed and containing potentially prejudicial19Defendants' Motion to Clarify or Amendbusiness or confidential proprietary20Clarify or Amendinformation consistent with the protective21Answerorder entered by the Court on April 28, 2011.22302Reply Memorandum of Points and Authorities in Support of Defendants'Defendants' request to seal Defendants'23Points and Authorities in Support of Defendants'Memorandum of Points and Authorities and Exhibits 2-4, containing representative copies25Motion to Clarify or Exhibits to the Decl. of Clarist to the Decl. ofGRANTED as proprietary information27Claring and a basedata and a base	16		Declaration of Manuel J.	containing Plaintiffs' responses to Defendants
19Defendants' Motion to Clarify or Amendbusiness or confidential proprietary information consistent with the protective21Answerorder entered by the Court on April 28, 2011.22302Reply Memorandum of Points and Authorities in Support of Defendants'Defendants' request to seal Defendants'23Points and Authorities in Support of Defendants'Memorandum of Points and Authorities and Exhibits 2-4, containing representative copies25Motion to Clarify or Exhibits of the Answer, and Exhibits to the Decl. ofGRANTED as proprietary information27Ekhibits to the Decl. of Ethibits to the Decl. ofthe Grant at it 20, 2011	17		Velez in support of	interrogatories, is GRANTED as previously
20Clarify or Amend Answerinformation consistent with the protective order entered by the Court on April 28, 2011.21302Reply Memorandum of Points and Authorities in Support of Defendants'Defendants' request to seal Defendants'23Points and Authorities in Support of Defendants'Memorandum of Points and Authorities and Exhibits 2-4, containing representative copies25Motion to Clarify or Exhibits to the Decl. of Clarify to the Decl. ofGRANTED as proprietary information consistent with the protective order entered by	18		Plaintiffs' Opposition to	sealed and containing potentially prejudicial
21Answerorder entered by the Court on April 28, 2011.22302Reply Memorandum ofDefendants' request to seal Defendants'23Points and Authorities inMemorandum of Points and Authorities and24Support of Defendants'Exhibits 2-4, containing representative copies25Motion to Clarify orof Plaintiffs' distribution agreements, is26Amend the Answer, andGRANTED as proprietary information27Exhibits to the Decl. ofconsistent with the protective order entered by	19		Defendants' Motion to	business or confidential proprietary
22302Reply Memorandum of Points and Authorities in Support of Defendants'Defendants' request to seal Defendants'23Points and Authorities in Support of Defendants'Memorandum of Points and Authorities and Exhibits 2-4, containing representative copies24Support of Defendants' Motion to Clarify or Exhibits 2-4, containing representative copies25Motion to Clarify or Exhibits to the Answer, and Exhibits to the Decl. of26Exhibits to the Decl. of Clarify or27Clarify of Defendants	20		Clarify or Amend	information consistent with the protective
 Points and Authorities in Points and Authorities in Support of Defendants' Exhibits 2-4, containing representative copies Motion to Clarify or Amend the Answer, and GRANTED as proprietary information Exhibits to the Decl. of Clarify Decl. of Clarify Decl. OF 	21		Answer	order entered by the Court on April 28, 2011.
 Support of Defendants' Support of Defendants' Exhibits 2-4, containing representative copies Motion to Clarify or Amend the Answer, and GRANTED as proprietary information Exhibits to the Decl. of Clarify on the Decl. of Clarify on the Decl. of 	22	302	Reply Memorandum of	Defendants' request to seal Defendants'
 Motion to Clarify or Amend the Answer, and Exhibits to the Decl. of Clarify Decl. Of<!--</td--><td>23</td><td></td><td>Points and Authorities in</td><td>Memorandum of Points and Authorities and</td>	23		Points and Authorities in	Memorandum of Points and Authorities and
Amend the Answer, and GRANTED as proprietary information Exhibits to the Decl. of consistent with the protective order entered by	24		Support of Defendants'	Exhibits 2-4, containing representative copies
Exhibits to the Decl. of consistent with the protective order entered by	25		Motion to Clarify or	of Plaintiffs' distribution agreements, is
	26		Amend the Answer, and	GRANTED as proprietary information
28Christopher Druggerthe Court on April 28, 2011.	27		Exhibits to the Decl. of	consistent with the protective order entered by
	28		Christopher Drugger	the Court on April 28, 2011.

1	307	Memorandum of Points	Defendants' request to seal Defendants'
2		and Authorities in	Memorandum of Points and Authorities and
3		support of Defendants'	Exhibits 13-14, containing representative
4		Motion for	copies of Plaintiffs' distribution agreements, is
5		Reconsideration, the	GRANTED as proprietary information
6		Declaration of Dr.	consistent with the protective order entered by
7		Niznick, and Exhibits to	the Court on April 28, 2011.
8		the Declaration of	
9		Christopher Drugger	Defendants further lodged the Declaration of
10			Dr. Niznick and included Exhibit under seal as
11			Exhibit 15 to the Declaration of Christopher
12			Drugger. To the extent that Dr. Niznick's
13			Declaration was not included in Defendants'
14			Motion to Seal, (Dkt. No. 307), the Court
15			declines to seal the Declaration and exhibit.
16	313	Memorandum of Points	Plaintiffs' request to seal Plaintiffs'
17		and Authorities in	Memorandum of Points and Authorities and
18		support of Plaintiffs'	the declaration of Steve Schiess, Zest's
19		Opposition to	President and CEO, is GRANTED as
20		Defendants' Motion for	containing potentially prejudicial business or
21		Reconsideration and	confidential proprietary information consistent
22		Declaration of Steve	with the protective order entered by the Court
23		Schiess	on April 28, 2011.
24	326	Defendants' Objections	Defendants' request is DENIED WITHOUT
25		to Magistrate Judge	PREJUDICE to refilling a narrowly-tailored
26		Recommendation for	request. Defendants seek to seal thirty one
27		Adverse Jury Instruction	pages of objections, two declarations, and
28		and related Exhibits to	twenty two exhibits with no explanation as to

1						
2	the Declaration of why good cause exists to seal any of the					
	Christopher Drugger documents.					
	CONCLUSION					
	For the foregoing reasons, IT IS HEREBY ORDERED:					
	1. The Motions to File Documents Under Seal (Dkt. Nos. 122, 257, 281, 292,					
	302, 313) are GRANTED. The documents now lodged at Dkt. Nos. 123, 258,					
	283, 290, 303, 314, and related attachments shall be FILED UNDER					
	SEAL.					
	2. The incomplete Motion to File Documents Under Seal (Dkt. No. 307) is					
	GRANTED. The documents now lodged at Dkt. Nos. 308, 308-1, and 308-2					
	shall be FILED UNDER SEAL. Defendants are GRANTED seven (7) days					
	from the date this Order is electronically docketed to file a motion to seal the					
	documents now lodged at Dkt. No. 308-3 and 308-4. The documents may					
	remain lodged, pending Defendants' renewed motion to seal.					
	3. Defendants' Motion to File Documents Under Seal (Dkt. No. 326) is					
	DENIED WITHOUT PREJUDICE. Defendants are GRANTED seven (7)					
	days from the date this Order is electronically docketed to re-file a motion to					
	seal the documents lodged at Dkt. Nos. 327 and 327-1 through 327-25. If					
	Defendants fail to file an amended motion to seal within the time prescribed,					
	the documents shall be stricken from the docket. The documents now lodged					
	at Dkt. Nos. 327 and 327-1 through 327-25 may remain lodged, pending					
	Defendants' renewed motion to seal.					
	4. The parties are directed to file public, redacted versions of all sealed					
	documents by Friday, February 21, 2014.					
	IT IS SO ORDERED.					
	DATED: January 14, 2014					
	HON. GONZALO P. CURIEL United States District Judge					
	- 5 - 10ev0541 GPC(WVG)					