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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE: QUALCOMM LITIGATION

Case No.: 17cv108-GPC-MDD

**ORDER GRANTING IN PART
MOTIONS TO FILE DOCUMENTS
UNDER SEAL**

[ECF No. 612]

On September 10, 2018, Qualcomm filed a Motion to Seal certain documents. (ECF No. 612). The motion seeks to seal an unredacted copy of the *Ex Parte* Application for Authorization to File Supplemental Submission In Support of April 27, 2018 Joint Motion for Determination of Discovery Dispute (ECF No. 455) and June 28, 2018 Joint Motion for Determination of Discovery Dispute (ECF No. 546) (“Application”) and *Ex Parte* Supplemental Submission in Support of April 27, 2018 Joint Motion for Determination of Discovery Dispute (ECF No. 455) and June 28, 2018 Joint Motion for Determination of Discovery Dispute (ECF No. 546) (“Supplemental Submission”). (*Id.*).

Federal courts recognize “a strong presumption in favor of access to judicial documents which can be overcome only by showing sufficiently

1 important countervailing interests.” *Phillips ex rel. Estates of Byrd v. Gen.*
2 *Motors Corp.*, 307 F.3d 1206, 1212-13 (9th Cir. 2002) (quoting *San Jose*
3 *Mercury News, Inc. v. U.S. Dist. Ct.*, 187 F.3d 1096, 1102 (9th Cir. 1999))
4 (additional citations omitted). However, this presumption does not apply to
5 “sealed discovery document[s] attached to ... non-dispositive motion[s].” *In re*
6 *Nat’l Sec. Agency Telcoms. Records Litig.*, 2007 U.S. Dist. LEXIS 14473, WL
7 549854, *42 (N.D. Cal. Feb. 20, 2007) (citing *Kamakana v. City & Cnty. Of*
8 *Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006).

9 The Court finds that the Application and Supplemental Submission
10 shall be sealed. Accordingly, the Motion to Seal is GRANTED. Qualcomm has
11 already electronically lodged on the docket the necessary redacted version of
12 the papers publicly and the unredacted version of the papers under seal. The
13 Clerk shall file the lodged documents at ECF No. 613 under seal.

14 **IT IS SO ORDERED.**

15 Dated: December 27, 2018



16
17 Hon. Mitchell D. Dembin
United States Magistrate Judge