

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

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| XY, LLC, | § | |
| | § | |
| Plaintiff/ | § | |
| Counter Defendant, | § | |
| | § | |
| v. | § | Civil Action No. 1:13-cv-00876-WJM-NYW |
| | § | |
| TRANS OVA GENETICS, LC, | § | |
| | § | |
| Defendant/ | § | |
| Counter Claimant, | § | |

ORDER GRANTING XY’S UNOPPOSED MOTION
TO RESTRICT CERTAIN TRIAL EXHIBITS

After considering XY, LLC’s (“XY”) Unopposed Motion to Restrict Certain Trial Exhibits, the Court is of the opinion that the Motion should be Granted.

Accordingly, it is ORDERED that the following documents listed in Exhibit A to the Motion are hereby restricted Level 1:

Trade Secret Information

| Exhibit No. | Description |
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| 020 | Fresh Ejaculate SOPS |
| 022 | Parts |
| 025 | Sheath fluid |
| 027 | Semen Lab Media |
| 055 | Trans Ova Work Instruction Sheets |
| 066 | Trans Ova genetics Professional Services - Sexed Semen Laboratory Procedure for Reverse Sort of Semen |
| 067 | Trans Ova Media Preparation for Reverse Sorting |
| 136 | XY Orient Nozzle Tip Drawing |
| 137 | Nozzle Schematics |
| 139 | XY, Inc. Protocols – September 2005 |

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| 140 | XY, Inc. Protocols |
| 141 | Chata Biosystems – Formula Calculation |
| 142 | Chata Biosystems – Formula Calculation |
| 143 | Chata Biosystems – Formula Calculation |
| A28 | 2003-02-19 L'Alliance Boviteq, Inc. Semex Alliance: Confidential Information from XY for the purpose of evaluating the establishment of an XY sperm sorting facility in Canada <i>XYTOG010494-XYTOG010520</i> <i>Depo. Ex. Gilligan 30</i> |
| C31 | List of Parts <i>XYTOG019934-XYTOG019946</i> <i>Depo. Ex. See 01</i> |
| C81 | 2002-11-08 Letter from XY to Trans Ova with attachments <i>XYTOG011186-XYTOG011224</i> |
| C85 | TDP Projects and drawings <i>XYTOG019280-XYTOG019332</i> |

License Agreements

| Exhibit No. | Description |
|--------------------|--|
| 017 | Commercial License Agreement United States of America between XY, Inc. and Trans Ova Genetics, L.C. |
| 061 | Commercial License Agreement – United States of America |
| 079 | Commercial License Agreement - United States of America |
| 099 | Amended and Restated Commercial License Agreement (Draft Agreement) |
| 155 | Lead Licensee Agreement between XY and Inguran |
| 178 | Lead License Agreement between XY and Inguran |
| 275 | Letter from Craig Miles encl: XY Model Commercial License |
| A91 | 2007-07-19 Fax to Blalock from Miles re: draft of Commercial License Agreement with attachments <i>CRMiles000001-CRMiles000027</i> <i>Depo. Ex. Miles 31</i> |
| B1 | 2007-10-04 Commercial License Agreement, USA <i>CRMiles000181-CRMiles000205</i> <i>Depo. Ex. Miles 43</i> |
| B17 | 2002-12-02 Commercial license agreement between XY and Inguran <i>XYTOG007998-XYTOG008023</i> <i>Depo. Ex. Moreno 08</i> |
| B19 | 2004-01-30 Commercial license agreement between XY and Inguran <i>XYTOG008054-XYTOG008078</i> |

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| | <i>Depo. Ex. Moreno 10</i> |
| C6 | 2004-12-25 Addendum to Commercial License Agreement between XY and Inguran XYTOG008152-XYTOG008158 <i>Depo. Ex. Moreno 17</i> |

Inguran's Sensitive Business Information and Large Commercial Contracts

Inguran's Sensitive Business Information

| Exhibit No. | Description |
|--------------------|--|
| 186 | Conf Info Memo – Sexing Technologies |
| 187 | Condensed Supplemental Confidential Memorandum Materials 01.23.07 |
| 188 | Inguran LLC, dba Sexing Technologies; **SORTING INCOME** ; Straw quantity by year, 2007-2013 |
| 200 | Inguran LLC dba Sexing Technologies Sorting Income 2007-2013 |
| 201 | Inguran LLC, dba Sexing Technologies; **SORTING INCOME** ; Straw quantity by year, 2007-2013 |
| 216 | ST Production projections |
| 221 | Chart re Semen Sorting and Sexed Semen Sales 2004 – 2013 |
| 222 | Semen Sorting Sexed Semen Sales 2004 – 2013 |
| 223 | Native File Inguran Sales and Margin Information.xlsx |
| 226 | Inguran, L.P. Financial Statements–Income Tax Basis; December 31, 2004 and 2003 |
| 248 | Stock Purchase Agreement by and amount Inguran, Mervyn Jacobson and the other sellers listed herein |
| I | Inguran Sexed Sorting and Sales Revenue GL 2006-2010 AEO....xlsx XYTOG022232 |
| J | Inguran Sexed Sorting and Sales Revenue GL 2011-2013 AEO-c.xlsx XYTOG022233 |
| A6 | 2011-03-31 Ernst & Young, "Inguran, LLC: Transfer pricing planning report" XYTOG022164-XYTOG022229 |
| A10 | 2008-09-24 Consolidated Financial Statements Sexing Technologies, Years ended December 31, 2007 to 2006 XYTOG020464-XYTOG020497 <i>Depo. Ex. Gedminas 04</i> |
| A13 | Royalty Reporting Analysis with 2006 Calculated Damages XYTOG010458-XYTOG010467 <i>Depo. Ex. Gedminas 12</i> |
| A14 | Model for Costs of Sexing Per Calf, Labor Cost Worksheet, Overview of Calculated Costs, Overview of Calculated Costs Using Unsexed Semen, |

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| | Overview of Calculated Costs Using Sexed Semen, Overview of Calculated Costs Comparison of Sexed Semen OR, Cost Allocation Per Straw <i>XYTOG011576-XYTOG011582</i> <i>Depo. Ex. Gedminas 14</i> |
| A15 | Inguran - Production to Inventory Reconciliation <i>XYTOG010942-XYTOG010953</i> <i>Depo. Ex. Gedminas 15</i> |
| B12 | 2007-07-25 Inguran Board Minutes <i>XYTOG016728-XYTOG016736</i> <i>Depo. Ex. Moreno 01</i> |

Inguran's Semen Sorting Agreements

| Exhibit No. | Description |
|--------------------|--|
| 227 | Amendment to Semen Sorting Agreement |
| 228 | Semen Sorting Agreement (ST/ABS) |
| 230 | Semen Sorting Agreement (ST/ABS) |
| 231 | Semen Sorting Agreement (ST/ABS) |
| 232 | Semen Sorting Agreement (ST/TRI STATE BREEDERS) |
| 233 | Semen Sorting Agreement (ST/TRI STATE BREEDERS) |
| 234 | Semen Sorting Agreement (ST/CRI) |
| 235 | Amendment to Semen Sorting Agreement (ST/Select) |
| 236 | Semen Sorting Agreement (ST/Select) |
| 237 | Semen Sorting Agreement (ST/Select) |
| 238 | Semen Sorting Agreement (ST/Select) |
| 239 | Semen Sorting Agreement (ST/Select) |
| 240 | Semen Sorting Agreement (ST/ALTA) |
| 241 | Semen Sorting Agreement |
| 242 | Semen Sorting Agreement (ST/ALTA GENETICS) |
| 243 | Amendment to Semen Sorting Agreement (ST/Alta) |
| 244 | Amendment to Semen Sorting Agreement (ST/Alta) |
| 327 | Semen Sorting Agreement (ST/Select) |
| 341 | Semen Sorting Agreement between Inguran L.P and Trans Ova Genetics (May 6, 2004) |
| A4 | 2007-05-01 Semen Sorting Agreement between Inguran dba Sexing Technologies and Cooperative Resources International <i>XYTOG020864-XYTOG020884</i> |
| A5 | 2006-09-18 Semen Sorting Agreement between Inguran, L.P., and GSS Services, LLC <i>XYTOG021095-XYTOG021100</i> |
| A31 | 2009-10-01 Semen Sorting Agreement between Inguran dba Sexing |

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| | Technologies and Animal Breeding Services <i>XYTOG021274-XYTOG021285</i> <i>Depo. Ex. Harris 13</i> |
| C87 | 2011-07-18 Short Term Semen Sorting Agreement between Inguran, LLC and ABS Global <i>XYTOG020760-XYTOG020764</i> |
| C88 | 2007-03-30 Amendment to Semen Sorting Agreement between Inguran, L.P. and ABS Global <i>XYTOG020769-XYTOG020770</i> |
| C89 | 2008-03-01 Amendment to Semen Sorting Agreement between Inguran, LLC and ABS Global <i>XYTOG020771-XYTOG020772</i> |
| D6 | 2008-01-01 Amendment to Semen Sorting Agreement between Inguran, LLC and Cooperative Resources International, Inc. <i>XYTOG020919-XYTOG020920</i> |
| D7 | 2011-06-01 Semen Sorting Agreement between Inguran dba Sexing Technologies and CRV USA Holdings <i>XYTOG020941-XYTOG020951</i> |

XY's Sensitive Business Information

| Exhibit No. | Description |
|--------------------|---|
| 208 | 2011 XY Monthly PL |
| 209 | 2012 XY Monthly PL |
| 210 | XY, Inc. and Subsidiary; Consolidated Statement of Operations |
| 211 | 2006-2010 XY Annual PL |
| A12 | XY Royalty Summary, 2006-2012 <i>XYTOG008757</i> <i>Depo. Ex. Gedminas 09</i> |
| A16 | XY, Inc. Profit & Loss, January through December 2006 <i>XYTOG018550-XYTOG018563</i> <i>Depo. Ex. Gedminas 18</i> |
| A17 | XY, Inc. Profit & Loss, January through December 2007 <i>XYTOG018564-XYTOG018577</i> <i>Depo. Ex. Gedminas 19</i> |
| A18 | XY, Inc. Profit & Loss, January through December 2008 <i>XYTOG018578-XYTOG018603</i> <i>Depo. Ex. Gedminas 20</i> |
| A19 | XY, Inc. Profit & Loss, January through December 2009 <i>XYTOG019683-XYTOG019698</i> <i>Depo. Ex. Gedminas 21</i> |

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| A63 | 2006-01-05 Meeting of Board of Directors of XY <i>XYTOG007131-XYTOG007137</i> <i>Depo. Ex. Jacobson 03</i> |
| B23 | 2007-08-31 Confidential report to the XY Board of Directors <i>XYTOG007100-XYTOG007104</i> <i>Depo. Ex. Moreno 28</i> |
| B24 | 2007-07-16 XY Board Minutes <i>XYTOG013184-XYTOG013187</i> <i>Depo. Ex. Moreno 30</i> |
| B25 | 2007-12-11 XY Board Minutes <i>XYTOG013196-XYTOG013198</i> <i>Depo. Ex. Moreno 31</i> |

SIGNED this 22nd day of January, 2016.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "William J. Friedman", is written over a horizontal line.

United States District Judge