

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

JODI A. SCHWENDIMANN, f/k/a JODI
A. DALVEY

Civil No. 11-820 (JRT/HB)

Plaintiff,

v.

**SEALED
ORDER**

ARKWRIGHT ADVANCED COATING,
INC.

Defendant.

ARKWRIGHT ADVANCED COATING,
INC.

Counterclaim Plaintiff,

v.

JODI A. SCHWENDIMANN, f/k/a JODI
DALVEY and COOLER CONCEPTS,
INC.

Counterclaim Defendants.

David A. Davenport, Devan V. Padmanabhan, and Michelle E. Dawson,
WINTHROP & WEINSTINE, PA, 225 South Sixth Street, Suite 3500,
Minneapolis, MN 55402, for Jodi A. Schwendimann and Cooler Concepts,
Inc.

Katherine J. Rahlin, Kurt J. Niederluecke, and Laura L. Myers,
FREDRIKSON & BYRON, PA, 200 South Sixth Street, Suite 4000,
Minneapolis, MN 55402, for Arkwright Advanced Coating, Inc.

Plaintiff Jodi Schwendimann and Defendant Arkwright Advanced Coating, Inc. (“AACI”), have moved for protective orders with respect to certain documents filed with the court and for redaction of portions of the trial transcript. The Court will grant the parties’ motions.

The parties have jointly filed two motions pursuant to Local Rule 5.6(d) for continued sealing of certain documents. (First Joint Mot. Regarding Continued Sealing, Dec. 27, 2017, Docket No. 869; Second Joint Mot. Regarding Continued Sealing, Jan. 11, 2018, Docket No. 874.) The parties request that Court seal the following documents:

Docket Nos. 696, 701, 723, 728, 747, 784, 792, 795, 796,
804, 806, 807, 809, 810, 811, 813, 814, 815, 816, 818, 819,
820, 823, 825, 827, 841, 844, 846, 849, 850, 857, and 858.

(*Id.*) These documents contain information about either (1) product development and formulation or (2) company financials. The parties made an effort at trial to keep this evidence confidential by using redacted exhibits as demonstratives when possible and sequestering Schwendimann and AACI’s corporate representative during testimony about these topics. (Trial Tr. Vol. II at 79:10-80:12, Nov. 27, 2017, Docket No. 761.) Having reviewed the motion and the documents filed under seal, as well as all of the files, records, and proceedings herein, the Court concludes that these documents contain confidential information and will grant both motions. The Clerk is ordered to seal these documents.

Swendimann independently moves to seal the following documents:

Docket Nos. 751-7, 773, 808-5, and 808-6.

(Schwendimann's Mot. to Seal, Dec. 22, 2017, Docket No. 864.) These documents also contain information about Schwendimann's financials. Accordingly, the Court concludes that these documents contain confidential information and will grant Schwendimann's motion. The Clerk is ordered to seal these documents.

Both parties have filed motions for protective orders, seeking redaction of certain portions of the trial transcript. (AACI's Mot. for Protective Order, Dec. 18, 2017, Docket No. 829; Schwendimann's Second Am. Mot. for Protective Order, Dec. 28, 2017, Docket No. 872.) The parties have stipulated that these motions are unopposed. (Stipulation, Dec. 28, 2017, Docket No. 871.) The Court will grant both parties' motions in their entirety because the cited portions of the trial transcript contain confidential information about either (1) product development and formulation or (2) company financials. The Clerk is ordered to seal the complete trial transcripts. The parties will contact the Court Reporter to make arrangements for redaction of the trial transcript and will provide the Court Reporter page and line numbers for the redactions that the Court has granted.

ORDER

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Joint Motion Regarding Continued Sealing [Docket No. 869] is **GRANTED**.

2. The Joint Motion Regarding Continued Sealing [Docket No. 874] is **GRANTED**.

3. Schwendimann's Motion to Seal Exhibits Filed by Defendant in Support of Post-Trial Motions [Docket No. 864] is **GRANTED**.

4. The Clerk shall keep the following confidential documents **SEALED**:

Docket Nos. 696, 701, 723, 728, 747, 751-7, 773, 784, 792, 795, 796, 804, 806, 807, 808-5, 808-6, 809, 810, 811, 813, 814, 815, 816, 818, 819, 820, 823, 825, 827, 841, 844, 846, 849, 850, 857, and 858.

5. AACI's Motion for Protective Order for Redaction of Trial Transcripts [Docket No. 829] is **GRANTED**.

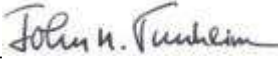
6. Schwendimann's Second Amended Motion for Protective Order for Redaction of Additional Information from Official Transcript [Docket No. 872] is **GRANTED**.

7. The Clerk shall keep the following trial transcripts **SEALED**:

Docket Nos. 760, 761, 762, 763, 764, 765, 766, 767, 768, and 769.

8. All information and documents sealed by this Order shall be unsealed on May 17, 2035, unless otherwise ordered by the Court.

DATED: May 16, 2018
at Minneapolis, Minnesota.



JOHN R. TUNHEIM
Chief Judge
United States District Court