

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Willis Electric Co., Ltd.,

Case No. 0:15-cv-3443-WMW-KMM

Plaintiff,

v.

ORDER

Polygroup Macau Limited (BVI), et al.,

Defendants.

Pursuant to Local Rule 5.6, the parties filed a Joint Motion Regarding Continued Sealing for documents filed under temporary seal in connection with the Defendants' motion to compel, motion to amend prior art statement, and motion to amend their answer and add a counterclaim of inequitable conduct. ECF 595. The parties agree that the following documents should remain sealed: (1) Defendants' memorandum supporting the motion to compel, ECF 553; (2) the Declaration of Puja Patel Lea in support of the motion to compel, ECF 555; (3) Exhibits 1–19, 33, and 35 to the Lea Declaration, ECF 557, 557-1, 557-2, 557-3, 557-4, 557-5, 557-6, 557-7, 557-8, 557-9, 557-10, 557-11, 557-12, 557-13, 557-14, 557-15, 557-16, 557-17, 557-18, 557-19, and 557-20; (4) Defendants' memorandum in support of the motion to amend prior art statement, ECF 563; (5) the Declaration of Christopher Forstner, ECF 565; (6) Exhibits 1–2, 4, 6–7, 9, and 27 to the Declaration of Rachel Hughey, ECF 568, 570, 572, 572-1, 572-2, 572-3, and 572-4; (6) Defendants' memorandum in support of their motion to amend and add a counterclaim, ECF 578; (7) Exhibits A and N to the Declaration of Patrick Arenz, ECF 585-1 and 585-14; (8) Willis Electric's opposition to the motion to compel, ECF 587; (9) Declaration of Johnny Chen, ECF 589; (10) Declaration of John Fonder, ECF 590; (11) Exhibits B, C, N, P, Q, and R to the Declaration of Emily Niles, ECF 588-2, 588-3, 588-14, 588-16, 588-17, and 588-18.¹

¹ The following documents were conventionally filed under seal pursuant to temporary instructions for electronic filers in connection with an information security concern: 585-1, 585-14, 587, 589, 590, 588-2, 588-3, 588-14, 588-16, 588-17, and 588-18. Because the documents were conventionally filed, the Court does not direct the Clerk to keep the

(footnote continued on following page)

Having reviewed these documents, the Court concludes that they should remain sealed. None of the documents are “judicial records” because the motions at issue did not call upon the Court to exercise its Article III powers. *See IDT Corp. v. eBay*, 709 F.3d 1220, 1222 (8th Cir. 2013) (agreeing that a “common-law right of access applies to judicial records in civil proceedings”).

Accordingly, **the Clerk is directed to keep the documents at the following docket entries under seal: 553, 555, 557, 557-1, 557-2, 557,-3, 557-4, 557-5, 557-6, 557-7, 557-8, 557-9, 557-10, 557-11, 557-12, 557-13, 557-14, 557-15, 557-16, 557-17, 557-18, 557-19, 557-20, 563, 565, 568, 570, 572, 572-1, 572-2, 572-3, 572-4, and 578.**

Date: March 2, 2021

s/ Katherine Menendez

Katherine Menendez
United States Magistrate Judge

documents at these docket entries sealed. Nevertheless, in the context of these non-dispositive motions, the Court finds that these materials may remain sealed.