

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|--------------------------|---|----------------------|
| PRISM TECHNOLOGIES, LLC, |) | |
| |) | |
| Plaintiff, |) | 8:12CV124 |
| |) | |
| v. |) | |
| |) | |
| T-MOBILE USA INC., |) | MEMORANDUM AND ORDER |
| |) | |
| Defendant. |) | |
| _____ |) | |

This matter is before the Court on Prism’s Proposed Redactions to the Trial Transcript (Filing No. [626](#)). The defendant did not file any opposition to the proposed redactions. After reviewing the motion, and the applicable law, the Court finds as follows.

LAW

“There is a common-law right of access to judicial records.” *IDT Corp. v. eBay*, 709 F.3d 1220, 1222 (8th Cir. 2013) (citing *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597, 98 S.Ct. 1306, 55 L.Ed.2d 570 (1978)). The Eighth Circuit has applied the common-law right of access to civil proceedings. See *Webster Groves School District v. Pulitzer Publishing Co.*, 898 F.2d 1371, 1376-77 (8th Cir. 1990). “[C]onfidential information may be so embedded in a pleading that line-by-line redaction is impossible, or redaction might be insufficient to protect the interests that justify sealing.” *IDT Corp.*, 709 F.3d at 1224

(citing *In re Search Warrant for Secretarial Area Outside Office of Gunn*, 855 F.2d 569, 574 (8th Cir. 1988); *Goff v. Graves*, 362 F.3d 543, 550 (8th Cir. 2004)).

REDACTIONS TO THE TRIAL TRANSCRIPT

After reviewing Prism's proposed redactions, the Court finds that redactions are proper in certain instances. However, the Court does not agree with all of Prism's proposed redactions. Some of the proposed redactions are overly broad and do not meet the confidential or proprietary nature that is cured by redaction. In addition, some of the proposed redactions are already in sealed transcripts, therefore, not requiring any redaction. The following shall be redacted from the trial transcript:

| <u>VOL.</u> | <u>PAGE</u> | <u>REDACTION</u> |
|-------------|-------------|---|
| I | 22 | Lines 4-5. |
| I | 22 | Sentence beginning on line 13, ending on line 14. |
| I | 22 | Sentence beginning on line 20, ending on line 22. |
| I | 23 | Sentence beginning on line 2, ending on line 5. |
| I | 23 | Lines 6-7. |
| I | 25 | Sentence beginning on line 18, ending on line 21. |
| I | 57 | Lines 19-23. |

| | | |
|-----|------|---|
| V | 1088 | Lines 6-9. |
| V | 1094 | Lines 5-12. |
| V | 1094 | Sentence beginning on line 16, ending on line 17. |
| V | 1094 | Line 19 to line 21 ending on "discount". |
| V | 1095 | Line 1, redact numbers. |
| V | 1106 | Line 17, redact number. |
| V | 1106 | Line 20, redact number. |
| VI | 1250 | Line 22, redact the dollar amount. |
| VI | 1253 | Line 13, redact the dollar amount. |
| VI | 1294 | Line 1, redact the dollar amount. |
| VI | 1294 | Line 5, redact the dollar amount. |
| VI | 1295 | Line 21, redact the dollar amount. |
| VI | 1304 | Line 19, redact the dollar amount. |
| VI | 1333 | Line 5, redact the dollar amount. |
| XII | 2579 | Line 23, redact the dollar amount. |
| XII | 2685 | Sentence beginning on line 21, ending on line 22. |

IT IS ORDERED that the court reporter shall make the above mentioned redactions 10 days after the filing of this order.

DATED this 25th day of February, 2016.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court