

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:07-cv-00347-D

LULU ENTERPRISES, INC.,

Plaintiff,

vs.

HULU, LLC, et al.,

Defendants.

**DEFENDANT'S MOTION TO FILE  
DOCUMENTS UNDER SEAL  
(Local Civil Rule 79.2, EDNC)**

Defendant, Hulu, LLC ("Hulu"), by and through its undersigned counsel and pursuant to Local Civil Rule 79.2, EDNC, and the Court's Order entered in this matter on September 28, 2007, hereby moves this Court for an order allowing the following Hulu documents to be filed and retained under seal. In support of this Motion, Defendant says as follows:

1. Hulu seeks to have the following document filed and retained under seal:
  - Exhibit B to Plaintiff Lulu Enterprises, Inc.'s Reply in Support of Motion for Preliminary Injunction ("Exhibit B").
2. Exhibit B contains quotes from and refers to the transcript of the deposition of Jason Kilar. Pursuant to the Court's Order entered September 28, 2007, this entire deposition transcript has been designated as "Attorneys' Eyes Only."
3. Counsel for the parties have conferred and Hulu has requested that Exhibit B, which Plaintiff has filed in support of its motion for preliminary injunction, remain confidential and be filed and retained under seal.

4. Defendant attests that Exhibit B contains confidential and competitively sensitive business information.

5. Contemporaneously with this Motion, Defendant submits its Memorandum of Law in support of its motion to file Exhibit B under seal.

WHEREFORE, Defendant Hulu, LLC respectfully prays the Court for an Order allowing that the above-listed document be filed and retained under seal. A proposed Order is submitted with this Motion.

Respectfully submitted this the 22nd day of October, 2007.

/s/ Hayden J. Silver, III

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*Counsel for Defendant Hulu, LLC*

**CERTIFICATE OF SERVICE**

This is to certify that on this date the foregoing was electronically filed with the Clerk of the Court using the CM/ECF System which will send notice to the following CM/ECF participants:

Leslie C. O'Toole  
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This the 22nd day of October, 2007.

/s/ Hayden J. Silver, III  
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