

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.

**ORDER ALLOWING DOCUMENTS TO  
BE FILED UNDER SEAL**

This matter is before the Court on the motion of Defendant Hulu, LLC to file and retain under seal the following documents:

- (1) Supplemental Confidential Declaration of Jason Kilar, with Exhibits A-C;
- (2) March 21, 2007 Presentation, "NewSite JV Overview" (DEF000134-DEF000147);
- (3) Transcript, Deposition of Jason Kilar, taken September 28, 2007;
- (4) August 29, 2007 "Hulu Name and Beta Announce FAQ – Internal Only," (DEF000446-DEF000447);
- (5) September 2007 Presentation, "Hulu Overview" (DEF000252-DEF000262);
- (6) August 20, 2007 Screenshot, "Customer sign-ups for Hulu beta, dated 8/20" (DEF000001);
- (7) April 2007 Presentation, "NewSite JV Business Plan" (DEF000111-DEF000133);
- (8) May 9, 2007 Interbrand Memorandum, "NewSite Creative Brief" (DEF001227-DEF001232);
- (9) August 15, 2007 e-mail from Andrew Racine to Carolyn Glass, NBC Universal (DEF000658-DEF000661);

- (10) September 5, 2007 email from Jason Kilar to “board@projectnewsite.com” (DEF000404-DEF000405);
- (11) Image of Hulu logo (DEF001490)

The Court makes the following findings of fact and conclusions of law:

1. It is necessary for the Court to review the above-listed documents and information to properly consider the pending motions before the Court.
2. The documents listed herein contain confidential, proprietary, and competitively sensitive business and financial information relating to Defendant.
3. Adequate notice and opportunity has been given to the public and interested parties to object to Defendant’s motion.
4. The Court has carefully weighed the interests advanced by the Defendant and those interests favoring public access to judicial documents and records.
5. The interests advanced by the Defendant override any common law or constitutional right of public access which may attach to the information

NOW THEREFORE, upon consideration of the record and the parties’ positions and pursuant to the provisions of Local Rule 79.2, it is ordered that the documents listed above be sealed.

It is so ordered this the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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JAMES C. DEVER, III  
UNITED STATES DISTRICT JUDGE