

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

No. 5:07-CV-426-H

ADVANCED INTERNET)
TECHNOLOGIES, INC.,)

Plaintiff,)

v.)

ORDER

DELL INC. and DELL FINANCIAL)
SERVICES, INC.,)

Defendants.)

This matter is before the Court on Plaintiff Advanced Internet Technologies, Inc.'s motion to seal documents filed in connection with its motion to de-designate certain confidential documents. [DE-192.] The Court having determined that certain documents are or are not confidential [DE-220, 221], AIT's motion to seal is **GRANTED IN PART** and **DENIED IN PART**.

The Clerk is **DIRECTED** to **UNSEAL** the following documents:¹

Docket Entry 174 - Main Document and Attachments # 1 Exhibit Tab 1 - DELL0000229, # 2 Exhibit Tab 2 DELL0000426, # 3 Exhibit Tab 3 DELL0000464, # 4 Exhibit Tab 4 DELL0000541, # 5 Exhibit Tab 5 DELL0000552, # 6 Exhibit Tab 6 DELL0000838, # 7 Exhibit Tab 7 DELL0000863, # 8 Exhibit Tab 8 DELL0000880, # 9 Exhibit Tab 9 DELL0000955, # 11 Exhibit Tab 11 DELL0000992, # 12 Exhibit Tab 12 DELL0001268, # 13 Exhibit Tab 13 DELL0001309, # 14 Exhibit Tab 14 DELL0001321, # 15 Exhibit Tab 15 DELL0001369, # 16 Exhibit Tab 16 DELL0001634, # 17 Exhibit Tab 17 DELL0075150, and # 18 Exhibit Tab 18 DELL0085194.

¹ In an attempt to maintain the integrity of the docket and to prevent re-filing of documents, where an attachment contains both confidential and non-confidential documents, it shall be sealed for purposes of this order.

Docket Entry 175 - Main Document and Attachments # 5 Exhibit Tab 20 DELL0085376, # 6 Exhibit Tab 21 DELL0085382, # 7 Exhibit Tab 22 DELL0085587, and # 8 Exhibit Tab 23 DELL0086302.

Docket Entry 176 (this appears to be a duplicate of Docket Entry 175) - Main Document and Attachments # 5 Exhibit Tab 20 DELL0085376, # 6 Exhibit Tab 21 DELL0085382, # 7 Exhibit Tab 22 DELL0085587, and # 8 Exhibit Tab 23 DELL0086302.

Docket Entry 177 - Main Document.

Docket Entry 178 - Main Document.

Docket Entry 179 - Main Document and Attachments # 2 Exhibit Tab 25 Part 9 DELL0087078, # 4 Exhibit Tab 25 Part 11 DELL0087078, and # 5 Exhibit Tab 25 Part 12 DELL0087078.

Docket Entry 180 - Main Document and # 1 Exhibit Tab 26 Part 1 DELL0087109, # 2 Exhibit Tab 26 Part 2 DELL0087109, # 3 Exhibit Tab 26 Part 3 DELL0087109, and # 4 Exhibit Tab 26 Part 4 DELL0087109.

Docket Entry 181 - Main Document.

Docket Entry 182 - Main Document.

Docket Entry 183 - Main Document.

Docket Entry 184 - Main Document and Attachments # 1 Exhibit Tab 29 Part 1 DELL0087250, # 2 Exhibit Tab 29 Part 2 DELL0087250, # 3 Exhibit Tab 29 Part 3 DELL0087250, # 4 Exhibit Tab 29 Part 4 DELL0087250, and # 5 Exhibit Tab 29 Part 5 DELL0087250.

Docket Entry 185 - Main Document and Attachments # 1 Exhibit Tab 29 Part 6 DELL0087250, # 2 Exhibit Tab 29 Part 7 DELL0087250, # 3 Exhibit Tab 29 Part 8 DELL0087250,

4 Exhibit Tab 29 Part 9 DELL0087250, # 5 Exhibit Tab 29 Part 10 DELL0087250, # 6 Exhibit Tab 30 DELL0087447, # 7 Exhibit Tab 31 - DELL0087452, # 8 Exhibit Tab 32 - DELL0087465, and # 9 Exhibit Tab 33 - DELL0087485.

Docket Entry 186 - Main Document and Attachment # 1 Exhibit Tab 34 Part 1a of 5 DELL0087569.

Docket Entry 187 - Main Document and Attachments # 2 Exhibit Tab 34 Part 5b of 5 DELL0087569, # 4 Exhibit Tab 35 - DELL0087996, and # 5 Exhibit Tab 36 - DELL0091037.

Docket Entry 188 - Main Document and Attachments # 6 Exhibit Tab 40 - DELL0130244 and # 7 Exhibit Tab 41 - DELL0130550.

Docket Entry 189 - Main Document and Attachments # 4 Exhibit Tab 43 - DELL0134854, # 5 Exhibit Tab 44 - DELL0135326, # 6 Exhibit Tab 45 - DELL0135451, # 7 Exhibit Tab 46 - DELL0137764, # 8 Exhibit Tab 47 - DELL0141994, # 9 Exhibit Tab 48 - DELL0142177, # 10 Exhibit Tab 49 - DELL0142180, # 11 Exhibit Tab 50 - DELL0142185, # 12 Exhibit Tab 51 - DELL0142207, # 13 Exhibit Tab 52 - DELL0142229, # 14 Exhibit Tab 53 - DELL0143699, # 15 Exhibit Tab 54 - DELL0143705, # 16 Exhibit Tab 55 - DELL0143711, # 17 Exhibit Tab 56 - DELL0145637, # 18 Exhibit Tab 57 - DELL0146704, # 19 Exhibit Tab 58 - DELL0148086, # 20 Exhibit Tab 59 - DELL0148655, # 21 Exhibit Tab 60 - DELL0156287, # 25 Exhibit Tab 64 - Amy Taylor Ex. 38, # 26 Exhibit Tab 65 - Amy Taylor Ex. 42, and # 27 Exhibit Tab 66 - Amy Taylor Ex. 45.

Docket Entry 190 - Main Document and Attachments # 1 Exhibit Tab 67 - Kenneth Joines Ex. 51, # 2 Exhibit Tab 68 - James Hutten Ex. 57, # 3 Exhibit Tab 69 - James Hutten Ex. 59, # 5 Exhibit Tab 71 - William Luhrs Condensed Transcript, # 6 Exhibit Tab 72 - William Luhrs Ex. 1, # 9 Exhibit Tab 75 - William Luhrs Ex. 5, # 10 Exhibit Tab 76 - William Luhrs Ex. 6, # 12 Exhibit

Tab 78 - William Luhrs Ex. 8, # 13 Exhibit Tab 79 - William Luhrs Ex. 9, # 15 Exhibit Tab 81 - William Luhrs Ex. 11, and # 16 Exhibit Tab 82 - William Luhrs Ex. 12.

Docket Entry 191 - Main Document and Attachments # 1 Exhibit Tab 83 - William Luhrs Ex. 13, # 4 Exhibit Tab 86 - William Luhrs Ex. 16, # 5 Exhibit Tab 87 - Harold Stone Condensed Transcript, # 6 Exhibit Tab 88 - Part 1 of 3 - Harold Stone Ex.10, and # 8 Exhibit Tab 88 - Part 3 of 3 - Harold Stone Ex.10.

The following documents shall remain **SEALED**:

Docket Entry 174 - Attachment #10 Exhibit Tab 10 DELL0000979.

Docket Entry 175 - Attachments # 1 Exhibit Tab 19 Part 1 of 3 DELL0085220, # 2 Exhibit TAB 19 Part 2a of 3 DELL0085220, # 3 Exhibit TAB 19 Part 2b of 3 DELL0085220, and # 4 Exhibit TAB 19 Part 3 of 3 DELL0085220.

Docket Entry 176 (this appears to be a duplicate of Docket Entry 175) - Attachments # 1 Exhibit Tab 19 Part 1 of 3 DELL0085220, # 2 Exhibit TAB 19 Part 2a of 3 DELL0085220, # 3 Exhibit TAB 19 Part 2b of 3 DELL0085220, and # 4 Exhibit TAB 19 Part 3 of 3 DELL0085220.

Docket Entry 177 - Attachments # 1 Exhibit Tab 24 Part 1a of 5 DELL0086583, # 2 Exhibit Tab 24 Part 1b of 5 DELL0086583, # 3 Exhibit Tab 24 Part 1c of 5 DELL0086583, # 4 Exhibit Tab 24 Part 1d of 5 DELL0086583, # 5 Exhibit Tab 24 Part 2 of 5 DELL0086583, # 6 Exhibit Tab 24 Part 3 of 5 DELL0086583, # 7 Exhibit Tab 24 Part 4 of 5 DELL0086583, # 8 Exhibit Tab 24 Part 5 of 5 DELL0086583.

Docket Entry 178 - Attachments # 1 Exhibit Tab 25 Part 1 DELL0087078, # 2 Exhibit Tab 25 Part 2 DELL0087078, # 3 Exhibit Tab 25 Part 3 DELL0087078, # 4 Exhibit Tab 25 Part 4 DELL0087078, # 5 Exhibit Tab 25 Part 5 DELL0087078, # 6 Exhibit Tab 25 Part 6 DELL0087078,

7 Exhibit Tab 25 Part 7 DELL0087078.

Docket Entry 179 - Attachments # 1 Exhibit Tab 25 Part 8 DELL0087078, and # 3 Exhibit Tab 25 Part 10 DELL0087078.

Docket Entry 180 - Attachments # 5 Exhibit Tab 26 Part 5 DELL0087109, # 6 Exhibit Tab 26 Part 6 DELL0087109, # 7 Exhibit Tab 26 Part 7 DELL0087109, # 8 Exhibit Tab 26 Part 8 DELL0087109, # 9 Exhibit Tab 26 Part 9 DELL0087109, # 10 Exhibit Tab 26 Part 10 DELL0087109, and # 11 Exhibit Tab 27 DELL0087137.

Docket Entry 181 - Attachments # 1 Exhibit Tab 28 Part 1 of 12 DELL0087179, # 2 Exhibit Tab 28 Part 2 of 12 DELL0087179, # 3 Exhibit Tab 28 Part 3 of 12 DELL0087179, # 4 Exhibit Tab 28 Part 4 of 12 DELL0087179, and # 5 Exhibit Tab 28 Part 5 of 12 DELL0087179.

Docket Entry 182 - Attachments # 1 Exhibit Tab 28 Part 6 of 12 DELL0087179, # 2 Exhibit Tab 28 Part 7 of 12 DELL0087179, # 3 Exhibit Tab 28 Part 8 of 12 DELL0087179, # 4 Exhibit Tab 28 Part 9 of 12 DELL0087179, and # 5 Exhibit Tab 28 Part 10 of 12 DELL0087179.

Docket Entry 183 - Attachments # 1 Exhibit Tab 28 Part 11 of 12 DELL0087179 and # 2 Exhibit Tab 28 Part 12 of 12 DELL0087179.

Docket Entry 186 - Attachments # 2 Exhibit Tab 34 Part 1b of 5 DELL0087569, # 3 Exhibit Tab 34 Part 1c of 5 DELL0087569, # 4 Exhibit Tab 34 Part 2 DELL0087569, # 5 Exhibit Tab 34 Part 3 of 5, and # 6 Exhibit Tab 34 Part 4 of 5 DELL0087569.

Docket Entry 187 - Attachments # 1 Exhibit Tab 34 Part 5a of 5 DELL0087569 and # 3 Exhibit Tab 34 Part 5c of 5 DELL0087569.

Docket Entry 188 - Attachments # 1 Exhibit Tab 37 Part 1 of 3 DELL0091294, # 2 Exhibit Tab 37 Part 2 of 3 DELL0091294, # 3 Exhibit Tab 37 Part 3 of 3 DELL0091294, # 4 Exhibit Tab

38 - DELL0091354, and # 5 Exhibit Tab 39 - DELL0105651.

Docket Entry 189 - Attachments # 1 Exhibit Tab 42 Part 1 of 3 DELL0132394, # 2 Exhibit Tab 42 Part 2 of 3 DELL0132394, # 3 Exhibit Tab 42 Part 3 of 3 DELL0132394, # 22 Exhibit Tab 61 - DELL0163416, # 23 Exhibit Tab 62 - DELL0163446, and # 24 Exhibit Tab 63 - DELL0163559.

Docket Entry 190 - Attachments # 4 Exhibit Tab 70 - Mesa Carlson Ex. 62, # 7 Exhibit Tab 73 - William Luhrs Ex. 3, # 8 Exhibit Tab 74 - William Luhrs Ex. 4, # 11 Exhibit Tab 77 - William Luhrs Ex. 7, and # 14 Exhibit Tab 80 - William Luhrs Ex. 10.

Docket Entry 191 - Attachments # 2 Exhibit Tab 84 - William Luhrs Ex. 14, # 3 Exhibit Tab 85 - William Luhrs Ex. 15, and # 7 Exhibit Tab 88 - Part 2 of 3 - Harold Stone Ex. 10.

This 21st day of May, 2010.

A handwritten signature in black ink, appearing to read 'D. W. Daniel', written over a horizontal line.

DAVID W. DANIEL
United States Magistrate Judge