

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

CIVIL MINUTES

Case No. **CV 10-231-BR**

Date : **July 30, 2010**

Case Title: **FLIR Systems, Inc. v. Gambaro, et al**

Presiding Judge: **Anna J. Brown**

Courtroom Deputy: **Bonnie Boyer**

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Reporter:

PLAINTIFF'S COUNSEL

DEFENDANT'S COUNSEL

DOCKET ENTRY: MINUTE ORDER

The Court has reviewed Plaintiff FLIR's Status Report (#64) on Protective Order and Defendant Gambaro's Motion (#67) for Substitution of PEC NDA for FLIR Protective Order. The Court concludes Plaintiff's proposed protective order is necessary to protect certain disclosures in this matter and that Defendant Gambaro's proposed non-disclosure agreement is not sufficient to do so. Accordingly, the Court **DENIES** Defendant Gambaro's Motion (#67) for Substitution of PEC NDA for FLIR Protective Order. Although the Court intends to enter a protective order substantially in the form Plaintiff proposed, the Court requests Plaintiff to submit to the Court **no later than August 6, 2010**, a new form of protective order that removes all references that the order is "proposed." The Court also suggests that the parties review the language at ¶ 3 regarding the "outside counsels' eyes only" designation to ensure it does not preclude *pro se* Defendant Gambaro from accessing the materials.

The Court has also reviewed Defendant Gambaro's Motion (#66) for Court Order to Grant Unsealing of Protective Order Documents. Because Defendant Gambaro has stated the documents

cc: () All counsel

DOCUMENT NO: _____

Civil Minutes
Hon. Anna J. Brown

(Civil CaseMgt MO.wpd)

subject to the Court's seal are in the custody of attorney James Buchal, whom Gambaro has stated will represent Defendant Motionless Keyboard Company in this matter, the Court defers resolution on this Motion until Mr. Buchal has filed a notice of appearance and has had an opportunity to respond. Plaintiff also shall have the opportunity to respond before the Court takes the matter under advisement.

The Court confirms the parties are not to file any additional motions until after the Rule 16 conference, which the Court will schedule after the August 13, 2010, deadline for Defendant Motionless Keyboard Company to appear through counsel. At the Rule 16 conference, the Court will set a schedule for resolving dispositive motions.

cc: () All counsel

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