

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

ESN, LLC,	)	
	)	
<b>Plaintiff,</b>	)	
	)	
v.	)	<b>Civil Action No. 5:08-cv-20-DF</b>
	)	
<b>CISCO SYSTEMS, INC., and</b>	)	<b>JURY TRIAL DEMANDED</b>
<b>CISCO-LINKSYS, LLC,</b>	)	
	)	
<b>Defendants.</b>	)	

**DEFENDANTS’ UNOPPOSED MOTION FOR ADDITIONAL REDACTION**

Defendants Cisco Systems, Inc. and Cisco-Linksys, LLC (collectively, “Cisco”) hereby move for an order redacting approximately one and one-half pages of the sixty-six page transcript from the parties’ November 20, 2009 hearing regarding four pending motions. Dkt. 179. Cisco filed notice of its intent to request redaction on December 16, 2009. Dkt. 180. Plaintiff ESN, LLC (“ESN”) does not oppose this motion.

During oral argument on Cisco’s Motion to Dismiss and ESN’s Motion to Disqualify, counsel for the parties referenced terms of a confidential business relationship between Cisco and a third party, Iperia. The written document describing this relationship was designated “Confidential – Outside Counsel Only” pursuant to paragraph 5 of this Court’s June 5, 2008 protective order (Dkt.34) when it was produced in this matter. *See* Dkt. 74, Ex. S-19. All briefing on the Motion to Dismiss and ESN’s Motion to Disqualify in which this business relationship was discussed was filed under seal. *See* Dkts. 71-74, 85, 106-109, 136-137, 139.

Good cause exists for sealing the following passages from the transcript of the hearing on November 20 because they contain discussion of the confidential terms of Cisco's and Iperia's agreement, which are governed by the Protective Order:

- Page 17, lines 17 through 19 (“Iperia ... themselves.”);
- Page 26, lines 17 through 20 (“Iperia ... argued.”);
- Page 29, lines 19 through 23 (“Cisco ... license.”);
- Page 30, lines 1 through 5 (“Cisco's ... argued.”);
- Page 34, line 5 (three words following “payment”);
- Page 34, line 25 through page 35, line 10 (“It ... rights.”);
- Page 36, line 24 (entire);
- Page 36, line 25 through page 37, line 3 (“litigation ... source.”); and
- Page 37, lines 12 through 15 (“In ... rights.”).

For the foregoing reasons, Cisco respectfully requests an order sealing the above-enumerated portions of the transcript of the November 20, 2009 motions hearing and directing the court reporter to redact those passages from all publicly available versions of the transcript.

DATED: December 16, 2009

Respectfully submitted,

By /s/ Matthew D. Cannon

---

POTTER MINTON  
A Professional Corporation

MICHAEL JONES  
Tex. Bar No. 10929400  
mikejones@potterminton.com  
110 N. College, Suite 500 (75702)  
P.O. Box 359  
Tyler, Texas 75710  
Telephone: (903) 597-8311  
Facsimile: (903) 593-0846

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

CHARLES K. VERHOEVEN  
LEAD COUNSEL  
Cal. Bar No. 170151  
charlesverhoeven@quinnemanuel.com  
KEVIN A. SMITH  
Cal. Bar No. 250814  
kevinsmith@quinnemanuel.com  
MATTHEW D. CANNON  
Cal. Bar No. 252666  
matthewcannon@quinnemanuel.com  
50 California St., 22nd Floor  
San Francisco, California 94111  
Telephone: (415) 875-6600  
Facsimile: (415) 875-6700

VICTORIA F. MAROULIS  
Cal. Bar No. 202603  
victoriamaroulis@quinnemanuel.com  
SAYURI K. SHARPER  
Cal. Bar No. 232331  
sayurisharper@quinnemanuel.com

555 Twin Dolphin Dr., Suite 560  
Redwood Shores, California 94065  
Telephone: (650) 801-5000  
Facsimile: (650) 801-5100

Attorneys for Defendants  
Cisco Systems, Inc. and Cisco-Linksys, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 16th day of December, 2009. Any other counsel of record will be served by First Class U.S. mail on this same date.

/s/ Matthew D. Cannon