

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

I/P ENGINE, INC.

Plaintiff,

v.

AOL, INC., *et al.*,

Defendants.

Civil Action No. 2:11-cv-512

**NOTICE OF MOTION TO SEAL PORTIONS OF REPLY BRIEF IN SUPPORT OF
MOTION TO COMPEL AND EXHIBITS AA AND BB TO THE DECLARATION OF
EMILY C. O'BRIEN IN SUPPORT OF THE REPLY**

PLEASE TAKE NOTICE THAT Defendants Google Inc. and IAC Search & Media, Inc. (collectively "Defendants"), by counsel, pursuant to Rule 5 of the Local Rules of Practice for the United States District Court for the Eastern District of Virginia and the Protective Order [Dkt. No. 85] entered in this matter, have moved the Court for leave to file under seal Portions of Defendants' Reply Brief in Support of Motion to Compel ("Portions of Defendants' Reply Brief") and Exhibits AA and BB to the Declaration of Emily C. O'Brien in Support of the Reply ("Certain Exhibits to O'Brien Declaration"). Grounds and authorities for this Motion are set forth in Defendants' Memorandum in Support of Motion to Seal. Portions of Defendants' Reply Brief and Certain Exhibits to the O'Brien Declaration contain confidential information and, under the Protective Order (Dkt. No. 85), should be filed under seal.

Before this Court may seal Court documents, it must: (1) provide public notice with an opportunity to object; (2) consider less drastic alternatives; and (3) state specific findings in support of a decision to seal and reject alternatives to sealing. *See, e.g., Flexible Benefits*

Council v. Feldman, No. 1:08-CV-371, 2008 U.S. Dist. LEXIS 93039 (E.D. Va. Nov. 13, 2008) (citing *Ashcroft v. Conoco, Inc.*, 218 F.3d 282, 288 (4th Cir. 2000)).

In compliance with Local Rule 5 of the Rules of this Court and *Ashcroft*, the Court posts the following notice to the public: “This serves as public notice that Defendants have moved to file under seal Portions of Defendants’ Reply Brief and Certain Exhibits to the O’Brien Declaration. Objections to this Motion should be filed in the Civil Section of the Clerk’s Office. The Notice will be posted for a minimum of forty-eight (48) hours.”

DATED: April 19, 2012

/s/ Stephen E. Noona

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CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2012, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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