

1 The Hon. Ricardo S. Martinez

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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MICROSOFT CORPORATION, a
Washington corporation,

11 Plaintiff,

12 v.

13 IMMERSION CORPORATION, a
14 Delaware corporation,

15 Defendant.

No. C07-0936RSM

**PLAINTIFF'S MOTION TO RE-FILE
EXHIBITS E, G, and I UNDER SEAL**

**Noted for Consideration:
May 21, 2008**

16
17 Pursuant to Local Rule 5(g), plaintiff respectfully requests that the Court
18 allow plaintiff to re-file Exhibits E, G, and I to the Declaration of Wendy E. Lyon In
19 Support of Issuance of Letters Rogatory ("Lyon Declaration") under seal.

20 Exhibit E consists of true and correct copies of two emails from Mr. Ina to
21 Mr. Endo of Immersion dated March 21, 2006 and March 1, 2007. Exhibit G is a
22 true and correct copy of a February 7, 2007 email from Mr. Ina to Mr. Endo.
23 Exhibit I is a true and correct copy of a February 23, 2007 email from Mr. Ina to
24 Mr. Endo. Each of these exhibits was marked "Confidential" but were
25 inadvertently not filed under seal when the original Declaration of Wendy E. Lyon
26 Re Letters Rogatory was filed on February 19, 2008 (Doc. #48).

PLAINTIFF'S MOTION TO RE-FILE EXHIBITS E, G, AND I UNDER
SEAL (NO. C07-936RSM)- 1
4834-0581-2226.02
052108/1150/20363.00411

Riddell Williams P.S.
1001 FOURTH AVENUE
SUITE 4500
SEATTLE, WA 98154-1192
206.624.3600

1 Sealing of certain exhibits is authorized under Local Rule 5(g) because the
2 facts warranting sealing overcome the strong presumption in favor of public
3 access to the document. Moreover, the public's interest in accessing the exhibit to
4 the Lyon Declaration and the Letters are minimal. General information related to
5 the parties' claims can be obtained from plaintiff's motion. Nor do the exhibits
6 deal with any matters of public importance.

7 **CONCLUSION**

8 For the foregoing reasons, plaintiff respectfully request that the Court allow
9 Exhibits E, G, and I to the Declaration of Wendy E. Lyon In Support of Issuance of
10 Letters Rogatory ("Lyon Declaration") to be re-filed under seal. An order
11 authorizing sealing these documents is submitted herewith.

12 DATED this 21st day of May, 2008.

13 /s/ Wendy E. Lyon
14 Paul J. Kundtz, WSBA #13548
15 Blake Marks-Dias, WSBA #28169
16 Wendy E. Lyon, WSBA #34461
17 Riddell Williams P.S.
18 1001 Fourth Avenue, Suite 4500
19 Seattle, WA 98154
20 Tel: (206) 624-3600
21 Fax: (206) 389-1708
22 wlyon@riddellwilliams.com
23 Attorneys for Plaintiff
24 MICROSOFT CORPORATION
25
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1 CERTIFICATE OF SERVICE

2 I, Margaret R. Friedmann, declare as follows:

3 I am over 18 years of age and a citizen of the United States. I am
4 employed as a legal secretary by the law firm of Riddell Williams P.S.

5 On the date noted below I electronically filed the foregoing document titled
6 **PLAINTIFF'S MOTION TO FILE EXHIBITS E, G, AND I UNDER SEAL**, with an
7 attached **[PROPOSED] ORDER GRANTING PLAINTIFF MOTION TO FILE**
8 **EXHIBITS E, G, AND I UNDER SEAL** with the Clerk of the Court using the
9 CM/ECF system which will send notification of such filing to the following counsel
10 for Immersion Corporation:

11 Bradley S. Keller
12 Jofrey M. McWilliam
13 Email: bkeller@byrneskeller.com
jmcwilliam@byrneskeller.com

14 Richard M. Birnholz
15 Morgan Chu
16 Alan J. Heinrich
17 David R. Kaplan
18 Email: rbirnholz@irell.com
mchu@irell.com
aheinrich@irell.com
dkaplan@irell.com

19 I declare under penalty of perjury under the laws of the State of
20 Washington that the foregoing is true and correct.

21 Executed at Seattle, Washington this 21st day of May, 2008.

22 

23 Margaret R. Friedmann
24 Legal Secretary, Riddell Williams P.S.
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