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The Hon. Ricardo S. Martinez 1 Noted on Motion Calendar: June 30, 2008 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 WESTERN DISTRICT OF WASHINGTON AT SEATTLE 9 MICROSOFT CORPORATION, a 10 No. C07-0936RSM Washington corporation, 11 MICROSOFT'S MOTION TO SEAL Plaintiff, SUMMARY JUDGMENT MOTION **AND EXHIBIT 5 TO LYON** 12 **DECLARATION** ٧. 13 IMMERSION CORPORATION, a 14 Delaware corporation, Defendant. 15 16 On June 26, 2008, Microsoft filed, among other things, a summary 17 judgment motion [Dkt. No. 111] and Exhibit 5 to the Declaration of Wendy Lyon in 18 support of the motion [Dkt. Nos. 112-2 (pp.63-73) and 116-2 (pp.63-73)]. On June 19 30, 2008, Immersion wrote Microsoft's counsel, contending that those items were 20

On June 26, 2008, Microsoft filed, among other things, a summary judgment motion [Dkt. No. 111] and Exhibit 5 to the Declaration of Wendy Lyon in support of the motion [Dkt. Nos. 112-2 (pp.63-73) and 116-2 (pp.63-73)]. On June 30, 2008, Immersion wrote Microsoft's counsel, contending that those items were confidential and should have been filed under seal. Microsoft disagrees with Immersion's position. However, out of respect for Immersion's request, and pursuant to the parties' agreed protective order, Microsoft respectfully requests that the Court place these documents under seal. A proposed order has been submitted.

MICROSOFT'S MOTION TO SEAL SUMMARY JUDGMENT MOTION AND EXHIBIT 5 (NO. C07-0936RSM)- 1 4832-2273-1266.01 063008/1448 Riddell Williams P.S. 1001 FOURTH AVENUE SUITE 4500 SEATTLE, WA 98154-1192 206.624.3600 DATED this 30 th day of June, 2008.

RIDDELL WILLIAMS P.S.

By /s/
Paul J. Kundtz, WSBA #13548
Blake Marks-Dias, WSBA #28169
Wendy E. Lyon, WSBA #34461
Attorneys for Plaintiff MICROSOFT
CORPORATION

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1	CERTIFICATE OF SERVICE
2	The undersigned certifies that on the 30 <sup>th</sup> day of June, 2008, I electronically filed
3	the foregoing with the Clerk of the Court using the CM/ECF system which will send
4	notification of such filing to the following:
5	Bradley S. Keller Jofrey M. McWilliam
6	Byrnes & Keller LLP  1000 Second Avenue, 38 <sup>th</sup> Floor  Seattle, WA 98104-4082  Phone: (206) 622-2000; Fax: (206) 622-2522  Email: bkeller@byrneskeller.com imcwilliam@byrneskeller.com
7	
8	
9	
10	and on
11	Richard M. Birnholz Alan J. Heinrich
12	Morgan Chu  David R. Kaplan
13	Irell & Manella LLP 1800 Avenue of the Stars, Suite 900
14	Los Angeles, CA 90067-4276 Phone: (310) 277-1010; Fax: (301) 203-7199
15	Email: rbirnholz@irell.com  aheinrich@irell.com
16	mchu@irell.com dkaplan@irell.com
17	Executed at Seattle, Washington this 30 <sup>th</sup> day of June, 2008.
18	Exception at country, vacining to the angle and an example an example and an exam
19	Donna Hammonds
20	Legal Secretary, Riddell Williams P.S. 1001 Fourth Avenue Plaza, Suite 4500
21	Seattle, WA 98154 Phone: (206) 624-3600
22	Fax: (206) 389-1708

MICROSOFT'S MOTION TO SEAL SUMMARY JUDGMENT MOTION AND EXHIBIT 5 (NO. C07-0936RSM)- 3 4832-2273-1266.01 20363.00411 Riddell Williams P.S. 1001 FOURTH AVENUE SUITE 4500 SEATTLE, WA 98154-1192 206.624.3600

email: dhammonds@riddellwilliams.com

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