

The Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION, a
Washington corporation,

Plaintiff,

v.

IMMERSION CORPORATION, a
Delaware corporation,

Defendant.

No. C07-0936RSM

**PLAINTIFF'S MOTION TO FILE
REPLY AND EXHIBITS UNDER
SEAL**

**Noted for Consideration:
July 25, 2008**

Pursuant to Local Rule 5(g), plaintiff respectfully requests that the Court allow plaintiff to file Microsoft's Reply to Response to Plaintiff's Motion for Partial Summary Judgment on Breach of Contract and Exhibits A-F to the Supplemental Declaration of Wendy E. Lyon in Support of Plaintiff's Motion for Partial Summary Judgment on Breach of Contract ("Supp. Lyon Declaration") under seal.

All of the exhibits noted above have either already been marked as Confidential by one or more parties to this lawsuit, or believes in good faith is significantly sensitive and protected by a right to privacy under federal or state law or any other applicable privilege or right related to confidentiality or privacy. All of the documents are marked

PLAINTIFF'S MOTION TO FILE REPLY AND EXHIBITS UNDER
SEAL (NO. C07-936RSM)- 1
4846-1399-8594.01
072408/1510/20363.00411

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1001 FOURTH AVENUE
SUITE 4500
SEATTLE, WA 98154-1192
206.624.3600

1 "Confidential" in accordance with the Stipulated Protective Order Regarding Treatment by
2 the Parties of Confidential Documents,

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

8 CONCLUSION

9 For the foregoing reasons, plaintiff respectfully request that the Court allow
10 Microsoft's Reply in Response to Plaintiff's Motion for Partial Summary Judgment on
11 Breach of Contract and Exhibits A-F to the Supplemental Declaration of Wendy E. Lyon in
12 Support of Plaintiff's Motion for Partial Summary Judgment on Breach of Contract to be
13 filed under seal. An order authorizing sealing these documents is submitted herewith.

14 DATED this 25th day of July, 2008.

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

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 employed as a
4 legal secretary by the law firm of Riddell Williams P.S.

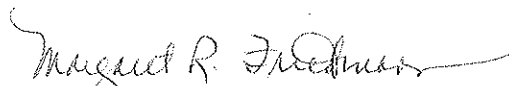
5 On the date noted below I electronically filed the foregoing document titled
6 **PLAINTIFF'S MOTION TO FILE REPLY AND EXHIBITS UNDER SEAL**, with an
7 attached **[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION TO FILE**
8 **REPLY AND EXHIBITS UNDER SEAL** with the Clerk of the Court using the CM/ECF
9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

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

21 Executed at Seattle, Washington this 25th day of June, 2008.

22 

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