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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. 2:07-cv-0936 RSM

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

**Noted for Consideration:
August 4, 2008**

Pursuant to Local Rule 5(g), plaintiff respectfully requests that the Court allow plaintiff to file under seal Microsoft's Opposition to Immersion's Motion for Partial Summary Judgment regarding Microsoft's Claim of Breach of the Implied Covenant and all exhibits (1-15) to the Declaration of Wendy E. Lyon in Support Microsoft's Opposition to Immersion's Motion for Partial Summary Judgment regarding Microsoft's Claim of Breach of the Implied Covenant.

The Opposition contains extensive quotations and references to information designated as "Confidential." All of the exhibits noted above have already been marked "Confidential" by one or more parties to this lawsuit. All of the documents are marked "Confidential" in accordance with the Stipulated Protective Order Regarding Treatment by the Parties of Confidential Documents.

PLAINTIFF'S MOTION TO FILE OPPOSITION AND EXHIBITS
UNDER SEAL (NO. 2:07-CV-936RSM)- 1
4850-6148-3266.01
080408/1411/20363.00411

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

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

6 **CONCLUSION**

7 For the foregoing reasons, plaintiff respectfully request that the Court allow
8 Microsoft's Opposition to Immersion's Motion for Partial Summary Judgment Regarding
9 Microsoft's Claim of Breach of the Implied Covenant and all exhibits to the Declaration of
10 Wendy E. Lyon in Support of Microsoft's Opposition to Immersion's Motion for Partial
11 Summary Judgment Regarding Microsoft's Claim of Breach of the Implied Covenant to be
12 filed under seal. An order authorizing sealing these documents is submitted herewith.

13 DATED this ____ day of August, 2008.

14 /s/ Paul J. Kundtz
15 Paul J. Kundtz, WSBA #13548
16 Blake Marks-Dias, WSBA #28169
17 Wendy E. Lyon, WSBA #34461
18 Riddell Williams P.S.
19 1001 Fourth Avenue, Suite 4500
20 Seattle, WA 98154
21 Tel: (206) 624-3600
22 Fax: (206) 389-1708
23 pkundtz@riddellwilliams.com
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25 wlyon@riddellwilliams.com
26 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.

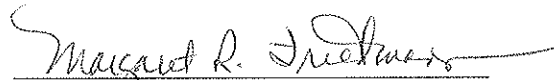
5 On the date noted below I electronically filed the foregoing document titled
6 **PLAINTIFF'S MOTION TO FILE OPPOSITION AND EXHIBITS UNDER SEAL,**
7 with an attached [**PROPOSED**] **ORDER GRANTING PLAINTIFF'S MOTION TO**
8 **FILE OPPOSITION AND EXHIBITS UNDER SEAL** with the Clerk of the Court using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

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

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

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

25 Executed at Seattle, Washington this 1st day of August, 2008.

26 

Margaret R. Friedmann
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