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8 The Hon. Ricardo S. Martinez  
9 Noted on Motion Calendar: 2/15/2008

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13 UNITED STATES DISTRICT COURT  
14 WESTERN DISTRICT OF WASHINGTON  
15 AT SEATTLE

16 MICROSOFT CORPORATION, a  
17 Washington corporation,

18 Plaintiff,

19 v.

20 IMMERSION CORPORATION, a  
21 Delaware corporation,

22 Defendant.

No. C07-0936RSM

**PLAINTIFF'S MOTION TO FILE  
EXHIBITS 2, 3, 4, 5, 6 & 7 UNDER  
SEAL**

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**I. RELIEF REQUESTED**

Pursuant to Local Rule 5(g), plaintiff respectfully requests that the Court allow plaintiff to file the exhibits 2, 3, 4, 5, 6 & 7 to the Declaration Of Blake Marks-Dias In Support Of Microsoft's Motion To Compel Responses To Requests For Production Nos. 3 And 19 ("Marks-Dias Declaration") under seal.

**II. GROUNDS**

The parties are in the process of finalizing a Stipulated Protective Order for the Court's review and approval. Immersion claims that numerous documents in this case, including documents attached as exhibits to the Marks-Dias declaration, are confidential and must be filed under seal. Allowing plaintiff to file exhibits

PLAINTIFF'S MOTION TO FILE EXHIBITS UNDER SEAL  
(NO. C07-0936RSM)- 1  
4833-7409-0754.01  
20363.00411

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

1 under seal pending the parties' agreement on a form of Protective Order is  
2 appropriate.

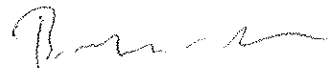
3 Sealing of certain exhibits to the Marks-Dias Declaration is authorized  
4 under Local Rule 5(g) because the facts warranting sealing overcome the strong  
5 presumption in favor of public access to the document. Moreover, the public's  
6 interest in accessing these exhibits to the Marks-Dias Declaration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

9 **III. CONCLUSION**

10 For the foregoing reasons, plaintiff respectfully request that the Court allow  
11 exhibits 2, 3, 4, 5, 6 & 7 to the Marks-Dias Declaration to be filed under seal. An  
12 order authorizing sealing is submitted herewith.

13  
14 DATED this 31<sup>st</sup> day of January, 2008.

15 RIDDELL WILLIAMS P.S.

16  
17 By   
18 Paul J. Kundtz, WSBA #13548  
19 Blake Marks-Dias, WSBA #28169  
20 Wendy E. Lyon, WSBA #34461  
21 Attorneys for Plaintiff MICROSOFT  
22 CORPORATION  
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26

1 **CERTIFICATE OF SERVICE**

2 I, Donna Hammonds, 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 2, 3, 4, 5, 6 & 7 UNDER SEAL** with  
7 the Clerk of the Court using the CM/ECF system which will send notification of  
8 such filing to the following counsel for Immersion Corporation:

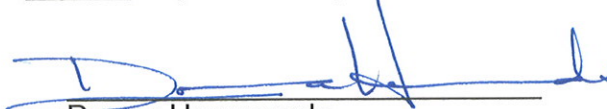
9 Bradley S. Keller  
10 Jofrey M. McWilliam  
11 Byrnes & Keller LLP  
12 1000 Second Avenue, 38<sup>th</sup> Floor  
13 Seattle, WA 98104-4082  
14 Phone: (206) 622-2000; Fax: (206) 622-2522  
15 Email: [bkeller@byrneskeller.com](mailto:bkeller@byrneskeller.com)  
16 [jmcwilliam@byrneskeller.com](mailto:jmcwilliam@byrneskeller.com)

17 and

18 Richard M. Birnholz  
19 Morgan Chu  
20 Irell & Manella LLP  
21 1800 Avenue of the Stars, Suite 900  
22 Los Angeles, CA 90067-4276  
23 Phone: (310) 277-1010; Fax: (301) 203-7199  
24 Email: [rbirnholz@irell.com](mailto:rbirnholz@irell.com)  
25 [mchu@irell.com](mailto:mchu@irell.com)

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

Executed at Seattle, Washington this 31<sup>st</sup> day of January, 2008.



Donna Hammonds  
Legal Secretary, Riddell Williams P.S.  
1001 Fourth Avenue Plaza, Suite 4500  
Seattle, WA 98154  
Phone: (206) 624-3600  
Fax: (206) 389-1708  
email: [dhammonds@riddellwilliams.com](mailto:dhammonds@riddellwilliams.com)