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4 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 INTERNATIONAL BUSINESS
7 MACHINES CORPORATION,

Plaintiff,

C20-851 TSZ

8 v.

9 ZILLOW GROUP, INC.; and ZILLOW,
INC.,

10 Defendants.

11 INTERNATIONAL BUSINESS
12 MACHINES CORPORATION,

Plaintiff,

C20-1130 TSZ

13 v.

14 ZILLOW GROUP, INC.; and ZILLOW,
INC.,

15 Defendants.

MINUTE ORDER

16 The following Minute Order is made by direction of the Court, the Honorable
17 Thomas S. Zilly, United States District Judge:

18 (1) In each of these cases, the parties have submitted Stipulated Protective
19 Orders for the Court's approval. *See* Stipulation (docket no. 129 in C20-851); Stipulation
(docket no. 29 in C20-1130). The Court will enter the parties' proposed Stipulated
Protective Orders subject to the requirements of Paragraph 2, below.

20 (2) Notwithstanding Paragraph 14.4 of each Stipulated Protective Order, the
following provision shall apply:

21 Filing Protected Material. If a party wishes to use "confidential" or
22 "protected" documents or information to support or oppose a motion, the
following procedures shall apply. Counsel shall meet and confer before
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1 filing documents under seal. During the meet-and-confer process, counsel
2 shall explore the options of removing the confidential designation and/or
3 redacting the protected portions of the document at issue. To the extent
4 possible, counsel shall submit, along with any document filed under seal, a
5 stipulation and proposed order reciting the reasons for sealing the
6 document. *See* Local Civil Rule 5(g); *Kamakana v. City & Cty. of*
7 *Honolulu*, 447 F.3d 1172 (9th Cir. 2006); *Foltz v. State Farm Mut. Auto.*
8 *Inc. Co.*, 331 F.3d 1122 (9th Cir. 2003). If counsel cannot reach agreement,
9 then a properly noted motion to seal must be filed *contemporaneously* with
10 the sealed document. If the party wishing to submit the material is not the
11 party designating the material as confidential, the party wishing to submit
12 the material shall provide at least seven (7) days' notice to the other
13 party(ies), so that a motion to seal, if necessary, may be prepared by the
14 designating party and filed *at the same time* as the material is submitted
15 under seal to the Court. Counsel shall use the Case Management and
16 Electronic Case Files ("CM/ECF") system to present materials under seal;
17 counsel shall not provide original sealed materials to chambers and shall
18 not provide working copies to chambers unless the materials are
19 voluminous and working copies would otherwise be required under Local
20 Civil Rule 10(e)(9). In association with any stipulation or motion to seal,
21 the parties shall bring to the Court's attention the requested disposition of
22 the confidential document in the event the stipulation or motion to seal is
23 denied.

13 (3) The Clerk is directed to send a copy of this Minute Order to all counsel of
14 record.

15 Dated this 28th day of August, 2020.

16 William M. McCool
17 Clerk

18 s/Karen Dews
19 Deputy Clerk