

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**NORDOCK, INC.,**

Plaintiff-Counterclaim Defendant,

v.

**Case No. 11-C-118**

**SYSTEMS, INC.,**

Defendant-Counterclaimant.

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**DECISION AND ORDER**

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Nordock, Inc. (“Nordock”) filed a motion to seal (ECF No. 201) pages three through five and nine through eleven of its opposition to Defendant Systems Inc.’s (“Systems”) motion for order to show cause (ECF. No. 199-11), and exhibits A and F thereto. The two exhibits are portions of the transcripts of Edward McGuire’s (“McGuire”) April 17, 2012, and Mike Pilgrim’s (“Pilgrim”) April 18, 2012, depositions that Systems has designated as confidential. (ECF Nos. 199-12, 199-13.)

McGuire’s deposition, Exhibit A, discloses fractional ownership information and the identity of Systems’ owners. This Court previously concluded that the information is not confidential. (Court’s October 5, 2012, Decision & Order, 22.) (ECF No. 77.) Nothing further has been offered in support of sealing. Thus, the Court will adhere to its prior determination. Exhibit A will not be sealed, and Nordock must file a revised brief that includes the ownership information.

Pilgrim’s deposition, Exhibit F, contains sales strategy—that type of information is generally not available to the public. Having reviewed the Pilgrim deposition and the portions of Nordock’s opposition that quote and/or include information from it, the Court

finds that good cause for sealing has been established. (See Court's October 5, 2012, Decision & Order, 15-16.) The sealing order will expressly provide that any party and any interested member of the public may challenge the sealing of those papers. *See Cnty. Materials Corp. v. Allan Block Corp.*, 502 F.3d 730, 740 (7th Cir. 2007).

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT:**

Nordock's motion to seal (ECF No. 201) pages three through five and nine through eleven of its opposition to Systems' motion for order to show cause and Exhibits A and F is **GRANTED** with respect to Exhibit F and portions of the opposition that quote from the Pilgrim transcript, and **DENIED** as to Exhibit A and portions of the opposition that quote/include information from the McGuire transcript;

Nordock **MUST FILE** in the public record a revised version of its opposition that includes excerpts/or information from McGuire's testimony;

The Clerk of Court is **DIRECTED TO FILE** exhibit A (ECF No. 199-12) in the public record; and

Any member of the public **MAY CHALLENGE** the sealing of any paper sealed pursuant to this Order.

Dated at Milwaukee, Wisconsin, this 30th day of May, 2014.

**BY THE COURT:**

  
**HON. RUDOLPH T. RANDA**  
**U.S. District Judge**