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10 Attorneys for Defendant MONSANTO COMPANY

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 THE REGENTS OF THE UNIVERSITY)
OF CALIFORNIA, a California public)
15 corporation,)

16 Plaintiff,)

17 v.)

18 MONSANTO COMPANY, a Delaware)
corporation,)

19 Defendant.)
20)
21)
22)
23)
24)
25)
26)
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28)

CASE NO. C04-00634-PJH (EDL)

DISCOVERY MATTER

**~~[PROPOSED] ORDER GRANTING
DEFENDANT'S MOTION PURSUANT TO
CIVIL L.R. 7-11 TO FILE UNDER SEAL
(1) DEFENDANT'S OPPOSITION TO
PLAINTIFF'S MOTION TO COMPEL
PRODUCTION OF BUSINESS AND
FINANCIAL DISCOVERY; (2) EXHIBITS
A-C TO THE DECLARATION OF JOHN
van LOBEN SELS IN SUPPORT OF
OPPOSITION; (3) DECLARATIONS OF
STEVEN BIERSCHENK, JULIA O'NEIL
AND ANNE TROUPIS; (4) RESPONSE TO
PLAINTIFF'S CONTENTIONS IN
SUPPORT OF MOTION TO COMPEL,
AND (5) EXHIBITS A AND C TO THE
DECLARATION OF JOHN van LOBEN
SELS IN OPPOSITION TO PLAINTIFF'S
MOTION TO COMPEL RESPONSES TO
INTERROGATORIES AND REQUESTS
FOR ADMISSION~~**

Date: August 16, 2005
Time: 9:00 a.m.
Before: Honorable Elizabeth D. Laporte
Location: Courtroom E, 15th Floor

1 Having considered Defendant Monsanto Company's Motion under Civil L.R. 7-11 to File
2 Documents under Seal, and good cause appearing therefor,

3 IT IS HEREBY ORDERED that:

4 1. Defendant Monsanto Company's Motion to File Documents Under Seal is hereby
5 GRANTED; ~~and~~ in part; and,

6 2. The Clerk of the Court shall file under seal the following documents:

- 7 • ~~The unredacted version of Defendant Monsanto Company's Opposition to~~
8 ~~Plaintiff's Motion to Compel Production of Business and Financial Discovery;~~
- 9 • Exhibits A-C of the Declaration of John van Loben Sels in Opposition to
10 Plaintiff's Motion to Compel Production of Business and Financial Discovery;
- 11 • Declarations of Steven Bierschenk, Julia O'Neil ~~and Anne Troupis;~~
- 12 • Monsanto Company's Response to the Plaintiff's Contentions Pursuant to Local
13 Rule 37-2 in Support of Motion to Compel Responses to Interrogatories and
14 Requests for Admission; and
- 15 • Exhibits A and C of the Declaration of John van Loben Sels in Opposition to
16 Plaintiff's Motion to Compel Responses to Interrogatories and Requests for
17 Admission.

18 3. Many of the redactions in Defendant's Opposition appear unjustified. See, e.g., pp.
19 1-4. Redacting the Declaration of Ms. Troupis also seems unjustified. If within one
20 week Monsanto makes a further showing explaining why these redactions are
21 appropriate, the Court will order the documents filed under seal. Until then, these two
22 documents will remain lodged with the Court.

23 Dated: August 2, 2005

24 The Honorable *Elizabeth D. Laporte*
25 United States Magistrate Judge

