

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

POWER INTEGRATIONS, INC.,

Plaintiff,

v.

ON SEMICONDUCTOR CORPORATION,
et al.,

Defendants.

Case No.16-cv-06371-BLF (VKD)

**ORDER GRANTING
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL POWER
INTEGRATIONS' MOTION TO
COMPEL A KNOWLEDGEABLE
30(B)(6) WITNESS AND LEGIBLE
SCHEMATICS**

Re: Dkt. No. 213

Plaintiff Power Integrations, Inc. ("PI") filed an administrative motion to seal portions of its motion to compel further Rule 30(b)(6) deposition testimony and legible schematics, and to seal certain exhibits accompanying the motion.¹ Dkt. No. 213. Defendants support the request to seal. Dkt. No. 216.

There is a strong presumption in favor of access by the public to judicial records and documents accompanying dispositive motions that can be overcome only by a showing of "compelling reasons supported by specific factual findings." *Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006) (internal quotation marks and citation omitted). However, the presumption does not apply equally to a motion addressing matters that are only "tangentially related to the merits of a case." *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d

¹ The Court denied PI's motion without prejudice and ordered the parties to resubmit their dispute in accordance with the discovery dispute procedure outlined in the undersigned's Standing Order for Civil Cases. Dkt. No. 215. The parties' joint discovery letter brief concerning defendants' 30(b)(6) witness and schematics relies on and cites to exhibits submitted in support of PI's original

1 1092, 1101 (9th Cir. 2016), *cert. denied sub nom. FCA U.S. LLC v. Ctr. for Auto Safety*, 137 S. Ct.
 2 38 (2016). A litigant seeking to seal documents or information in connection with such a motion
 3 must meet the lower “good cause” standard of Rule 26(c) of the Federal Rules of Civil Procedure.
 4 *Id.* at 1098–99; *Kamakana*, 447 F.3d at 1179–80.

5 PI’s motion to seal concerns materials submitted in connection with a discovery dispute.
 6 PI asks the Court to seal portions of its motion to compel, excerpts from the transcript of
 7 defendants’ Rule 30(b)(6) deposition, and excerpts from PI’s second amended infringement
 8 contentions. The underlying discovery dispute do not address the merits of the parties’ claims or
 9 defenses, but rather whether defendants should be required to produce a Rule 30(b)(6) witness for
 10 further deposition and to produce additional schematics. The material to be sealed is only
 11 tangentially related to the merits of the case. The Court therefore applies the “good cause”
 12 standard of Rule 26(c).

13 Most of the material proposed to be filed under seal concerns technical information
 14 concerning the accused products at issue in this action. Defendants represent that much of this
 15 material is confidential or highly confidential information that, if disclosed to the public, would
 16 cause competitive harm to defendants. Dkt. No. 216. On this basis, the Court concludes that PI
 17 has shown good cause to seal the materials identified in its administrative motion.

18 Accordingly, the Court grants PI’s administrative motion and finds that the following
 19 materials may be filed under seal:

Document	Portion to be Filed Under Seal
Power Integrations’ Motion to Compel a Knowledgeable 30(b)(6) Witness and Legible Schematics (Dkt. No. 214)	Page 8, lines 26, 27 Page 9, lines 3-13, 15-16 Page 10, lines 1-16 Page 12, lines 22-28 Page 13 Page 14, lines 1-5, 15-17, 21-22, 24-27 Page 15, lines 1-3, 10-13, 15-18, 20-25, 27-28 Page 16, lines 1-5, 7-8, 10-12, 14-24 Page 17, lines 25-28 Page 18, lines 1-4, 6-9, 14-19, 21-23, 24-26, 27-28

	<p>26 Page 20, lines 3-11, 13-17, 19-25, 27-28 Page 21, lines 1-8, 10-12, 14-20, 22-24 Page 22, lines 1-2, 16-28 Page 23, lines 1-7, 10-13, 16-20, 22-28 Page 24, lines 1-3, 5-9</p>
<p>Declaration of Michael Headley in Support of Power Integrations' Motion to Compel a Knowledgeable 30(b)(6) Witness and Legible Schematics (Dkt. No. 214-1)</p>	<p>Exhibits 3-8</p>

IT IS SO ORDERED.

Dated: June 4, 2019

Virginia K. DeMarchi
VIRGINIA K. DEMARCHI
United States Magistrate Judge

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Northern District of California

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