

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WIRTGEN AMERICA, INC.,

Plaintiff,

v.

CATERPILLAR, INC.,

Defendant.

Case No. 1:17-cv-00770-JDW

ORDER

AND NOW, this 6th day of November, 2023, upon consideration of Caterpillar's Motion To Seal (D.I. 256), it is **ORDERED** that the Motion is **GRANTED** because the Parties seek to seal the same information at-issue in their prior Joint Motion to Seal, which I granted. For the reasons stated in the prior Order Granting the Joint Motion to Seal (D.I. 235), I find that the Parties have met the *Avandia* standard. *See In re Avandia Mktg., Sales Pracs. & Prod. Liab. Litig.*, 924 F.3d 662, 672 (3d Cir. 2019).

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.