25	Inc. hereby move and respectfully request an Order from this Court allowing Defendants to file a	
24	Pursuant to Civil Local Rule 7-11, Defendants Matthew Katzer and Kamind Associates,	
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22		_ <del></del>
21	Defendants.	
	corporation dba KAM Industries,	UNDER SEAL
20	KAMIND ASSOCIATES, INC., an Oregon	PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION
9	MATTHEW KATZER, an individual, and	DECLARATION OF MATTHEW KATZER IN OPPOSITION TO
8	VS.	ADMINISTRATIVE MOTION TO FILE PORTIONS OF
17	Plaintiff,	)
6		) ) Hon. Jeffrey S. White
5	ROBERT JACOBSEN, an individual,	) Case Number C06-1905-JSW
4	SAN FRANCISCO DIVISION	
13	NORTHERN DISTRICT OF CALIFORNIA	
2	UNITED STATES DISTRICT COURT	
1		
0	Attorneys for Defendants  Matthew Katzer and Kamind Associates, Inc.	
9	Email: <u>lgorman@gormanmiller.com</u>	
8	Fax: (408) 297-2224 Email: jgorman@gormanmiller.com	
	Tel: (408) 297-2222	
7	210 N 4th Street, Suite 200 San Jose, CA 95112	
6	John C. Gorman (CA State Bar #91515) Gorman & Miller, P.C.	
5		
4	Fax: (503) 225-0276 Email: scott@fieldjerger.com	
3	Tel: (503) 228-9115	
2	610 SW Alder Street, Suite 910 Portland, OR 97205	
1	R. Scott Jerger (pro hac vice) (Oregon State Bar #02337) Field Jerger LLP	
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I certify that on October 15, 2008, I served Matthew Katzer's KAM's and DEFENDANTS MATTHEW KATZER AND KAMIND ASSOCIATES, INC.'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL on the following parties through

Victoria K. Hall 26

Preliminary Injunction (to be filed with this Court on November 7, 2008) under seal and marked "for attorney eyes only."

The grounds for this administrative motion are as follows:

- 1.) The proposed to-be-sealed portion of the declaration contains confidential commercial information relating to Defendants' proprietary software development activity and Defendants' confidential business partners;
- 2.) The disclosure of this information is necessary to demonstrate the harm that entry of an injunction would cause Defendants;
- 3.) The disclosure of this information to Plaintiff and the public would be harmful to Defendants' commercial interests.

The undersigned has attempted to obtain a stipulation from opposing counsel regarding this motion pursuant to Civ. LR 7-12 but opposing counsel objected and stated that Plaintiff would not stipulate to this motion until Plaintiff reviewed the documents to be filed under seal.

Dated October 15, 2008.

Respectfully submitted,

/s/Scott Jerger

R. Scott Jerger (pro hac vice) Field Jerger LLP 610 SW Alder Street, Suite 910 Portland, OR 97205 Tel: (503) 228-9115 Fax: (503) 225-0276

## CERTIFICATE OF SERVICE

Attorney for Robert Jacobsen

Case Number C 06 1905 JSW Administrative Motion to File Under Seal

their attorneys via the Court's ECF filing system:

Law Office of Victoria K. Hall 3 Bethesda Metro Suite 700 Bethesda, MD 20814

/s/ Scott Jerger

R. Scott Jerger (pro hac vice) Field Jerger LLP

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