

1 William Christopher Carmody
(Admitted *pro hac vice*)
2 Jacob W. Buchdahl
(Admitted *pro hac vice*)
3 SUSMAN GODFREY L.L.P.
560 Lexington Avenue, 15th Floor
4 New York, New York 10022
Telephone: (212) 336-8330
5 Facsimile: (212) 336-8340
Email: bcarmody@susmangodfrey.com
6 Email: jbuchdahl@susmangodfrey.com

7 Marc M. Seltzer (54534)
SUSMAN GODFREY L.L.P.
8 1901 Avenue of the Stars, Suite 950
Los Angeles, CA 90067-6029
9 Telephone: (310) 789-3100
Facsimile: (310) 789-3150
10 Email: mseltzer@susmangodfrey.com

11 [Additional counsel listed below signature line]

12 *Attorneys for Defendants*

13
14 **UNITED STATES DISTRICT COURT**
15 **SOUTHERN DISTRICT OF CALIFORNIA**

16
17
18 VIASAT, INC.

19
20 Plaintiff,

21 v.

22 SPACE SYSTEMS/LORAL, INC.,
LORAL SPACE &
23 COMMUNICATIONS INC.,

24 Defendants/
Counterclaim Plaintiffs.

Case No. 3:12-cv-00260-H-WVG

Hon. Marilyn L. Huff

**MOTION TO STRIKE AND FOR
LEAVE TO FILE UNDER SEAL
(DKT. NOS. 1101, 1101-3, AND
1101-4)**

On July 11, 2014, Defendant Space Systems/Loral, LLC (f/k/a Space Systems/Loral, Inc.) (“SS/L”) filed its Opposition to ViaSat, Inc.’s (“ViaSat”) Motion for Permanent Injunction, along with a supporting Declaration of Amanda K. Bonn and Exhibit A thereto, in addition to other supporting materials. On July 16, 2014, ViaSat subsequently brought to SS/L’s attention that certain material in the publicly-filed Opposition, Bonn Declaration, and Exhibit A thereto should have been redacted and filed under seal. SS/L seeks to remedy this inadvertent error by (1) filing corrected, appropriately redacted versions of its Opposition and supporting materials, Dkt. Nos. 1122, 1122-2, 1122-2, 1122-3, 1122-4; (2) filing the unredacted Bonn Declaration and Exhibit A thereto under seal; and (3) striking Docket Nos. 1101, 1101-3, and 1101-4.

SS/L is subject to the Court’s Second Amended Protective Order in this case. See Dkt. No. 477 at 1 (“Protective Order”). The Protective Order requires that if SS/L files with the Court certain material produced in discovery, SS/L must move for leave to file that material under seal. *Id.* at ¶ 15. Portions of the following documents contain excerpts from a Court Order and a Technical Advisor’s Report that were issued under seal pursuant to the Protective Order:

- SS/L’s Opposition to Motion for Permanent Injunction, which has already been filed under seal;
- Declaration of Amanda K. Bonn in Support of SS/L’s Opposition to Motion for Permanent Injunction; and
- Exhibit A to the Declaration of Amanda K. Bonn.

Accordingly, SS/L respectfully requests that the Court (1) deem its corrected, redacted Opposition supporting materials, Dkt. Nos. 1122, 1122-1, 1122-2, 1122-3, and 1122-4, as having been timely filed on July 11, 2014; (2) grant SS/L leave to file the declaration of Amanda K. Bonn and Exhibit A thereto under seal; and (3) strike Dkt. Nos. 1101, 1101-3, and 1101-4. A Proposed Order is lodged herewith.

1 Dated: July 18, 2014

2 By: /s/ Amanda K. Bonn

3 Marc M. Seltzer
4 Amanda K. Bonn
5 SUSMAN GODFREY L.L.P.
6 1901 Avenue of the Stars, Suite 950
7 Los Angeles, CA 90067-6029
8 Telephone: (310) 789-3100
9 Fax: (310) 789-3150
10 Email: mseltzer@susmangodfrey.com
11 Email: abonn@susmangodfrey.com

12 William Christopher Carmody
13 (Admitted *Pro Hac Vice*)
14 Jacob W. Buchdahl
15 (Admitted *Pro Hac Vice*)
16 SUSMAN GODFREY L.L.P.
17 560 Lexington Avenue, 15th Floor
18 New York, NY 10022
19 Telephone: (212) 336-8330
20 Fax: (212) 336-8340
21
22
23
24
25
26
27
28

1 Joseph S. Grinstein
2 (Admitted *Pro Hac Vice*)
3 William R. H. Merrill
4 (Admitted *Pro Hac Vice*)
5 SUSMAN GODFREY L.L.P.
6 1000 Louisiana Street, Suite 5100
7 Houston, Texas 77002-5096
8 Telephone: 713-653-7856
9 Facsimile: 713-654-6666
10 Email: jgrinstein@susmangodfrey.com
11 Email: bmerrill@susmangodfrey.com
12

13 Ian B. Crosby
14 (Admitted *Pro Hac Vice*)
15 Rachel S. Black
16 (Admitted *Pro Hac Vice*)
17 Patrick C. Bageant (275135)
18 SUSMAN GODFREY L.L.P.
19 1201 Third Avenue, Suite 3800
20 Seattle, WA 98101
21 Telephone: (206) 516-3861
22 Fax: (206) 516-3883
23 Email: icrosby@susmangodfrey.com
24 Email: rblack@susmangodfrey.com
25 Email: pbageant@susmangodfrey.com
26

27 *Attorneys for Defendants/Counterclaim*
28 *Plaintiffs Space Systems/Loral, LLC (f/k/a*
Space Systems/Loral, Inc.) and Loral Space
& Communications Inc.

CERTIFICATE OF SERVICE

I hereby certify that, on July 18, 2014, I caused the foregoing **MOTION TO STRIKE AND FOR LEAVE TO FILE UNDER SEAL (DKT. NOS. 1101, 1101-3, AND 1101-4)** to be served on opposing counsel via the Court's CM/ECF system.

Dated: July 18, 2014

By: /s/ Amanda K. Bonn
Amanda K. Bonn