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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE: PERSONAL WEB TECHNOLOGIES,  
LLC ET AL., PATENT LITIGATION

AMAZON.COM, INC., and AMAZON WEB  
SERVICES, INC.,

Plaintiffs

v.

PERSONALWEB TECHNOLOGIES, LLC and  
LEVEL 3 COMMUNICATIONS, LLC,

Defendants.

PERSONALWEB TECHNOLOGIES, LLC, and  
LEVEL 3 COMMUNICATIONS, LLC,

Plaintiffs,

v.

TWITCH INTERACTIVE, INC.,

Defendant.

Case No.: 5:18-md-02834-BLF

Case No.: 5:18-cv-00767-BLF

Case No.: 5:18-cv-05619-BLF

**ORDER GRANTING (AS MODIFIED BY  
THE COURT)**

**JOINT STIPULATION RE ORDER ON  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED (DKT. NO. 867)**

FENWICK & WEST LLP  
ATTORNEYS AT LAW

1 WHEREAS, Plaintiff PersonalWeb Technologies, LLC (“PersonalWeb”) has accused  
2 Defendants Amazon.com, Inc., Amazon Web Services, Inc., and Twitch Interactive, Inc.  
3 (collectively, “Amazon”) of infringing, inter alia, U.S. Patent Nos. 7,802,310 and 6,928,442;

4 WHEREAS, on March 28, 2023, the Court ordered Amazon and third-parties Brilliant  
5 Digital Entertainment, Inc. and Monto Holdings Pty Ltd. to provide supplemental briefing on an  
6 alleged waiver of privilege by the third-parties (Dkt. No. 862);

7 WHEREAS, on April 7, 2023, Amazon filed an Administrative Motion to Consider Whether  
8 Another Party’s Material Should be Sealed as to the Supplemental Submission Regarding  
9 Amazon’s Motion to Compel Production of Documents That the PersonalWeb Investors Have  
10 Improperly Withheld as Privileged (“Motion”) (Dkt. No. 863) provisionally under seal, pending  
11 the Court’s ruling on the motion to seal, because the filed documents contained information  
12 produced by the third-parties which they have designated as “Attorneys’ Eyes Only” or  
13 “Confidential,” pursuant to the Stipulated Amended Protective Order (Dkt. Nos. 427, 786);

14 WHEREAS, on April 13, 2023, the Court issued an order providing the third-parties an  
15 opportunity to file the required statement/declaration in response to the Motion (Dkt. No. 867);

16 WHEREAS, the Parties have conferred and agree that the provisionally sealed materials  
17 need not be sealed and may be available on the public docket, without prejudice to any claim by  
18 the third-parties that other documents produced in this action are subject to sealing;

19 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED between Amazon  
20 and the third-parties that (i) the portions of Amazon’s Supplemental Submission Regarding  
21 Amazon’s Motion to Compel Production of Documents That the PersonalWeb Investors Improperly  
22 Withheld as Privileged (Dkt. No. 863-2); (ii) Exhibits 1-19 to the Declaration of Todd R. Gregorian  
23 in Support of Amazon’s Supplemental Submission Regarding Amazon’s Motion to Compel  
24 Production of Documents That the PersonalWeb Investors Improperly Withheld as Privileged (Dkt.  
25 Nos. 863-4 through 863-22), and (iii) Exhibits B-D and H-I to the Declaration of Todd R. Gregorian  
26 in Support of Amazon’s Portion of the Joint Submission Regarding Amazon’s Motion to Compel  
27 Production of Documents That the PersonalWeb Investors Improperly Withheld as Privileged  
28 (Dkt. Nos. 859-1 through 859-5), need not be sealed and may be available on the public docket,

FENWICK & WEST LLP  
ATTORNEYS AT LAW

1 without prejudice to any claim by the third-parties that other documents produced in this action are  
2 subject to sealing.

3 **IT IS SO AGREED AND STIPULATED.**

4  
5 Dated: April 19, 2023

Respectfully submitted,

FENWICK & WEST LLP

6 By: /s/ Todd R. Gregorian  
TODD R. GREGORIAN

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16 WEB SERVICES, INC., and TWITCH  
INTERACTIVE, INC.

17 Dated: April 19, 2023

FRANDZEL ROBINS BLOOM & CSATO, L.C.

18 By: /s/ Thomas M. Robins III  
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Dated: April 19, 2023

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By: /s/ Michael Shipley

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CAPITAL ADVISORS, LLC

**CERTIFICATION OF CONCURRENCE IN FILING**

I, Todd R. Gregorian, am the ECF user whose identification and password are being used to file this Joint Stipulation. In compliance with N.D. Cal. Civil L.R. 5-1(h)(3), I hereby attest that Thomas M. Robins III and Michael Shipley have concurred in this filing.

Dated: April 19, 2023

By: /s/ Todd R. Gregorian

TODD R. GREGORIAN

FENWICK & WEST LLP  
ATTORNEYS AT LAW

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** Within 7 days of the date of this  
2 Order, Amazon is directed to re-file on the public docket the above-referenced documents  
(Dkt. 859-1 to 859-5; 863-2; and 863-4-22), which were provisionally filed under seal.

3 Date: April 20, 2023

  
SUSAN VAN KEULEN  
United States Magistrate Judge

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ATTORNEYS AT LAW

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