

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARENDI S.A.R.L.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 13-919 (JLH)
)	
GOOGLE LLC,)	
)	
Defendant.)	

**STIPULATION AND [PROPOSED] ORDER ALLOWING
NON-PARTY MICROSOFT CORP. TO ACCESS TRIAL TRANSCRIPTS**

WHEREAS, a jury trial was held in this matter from April 24 to May 2, 2023;

WHEREAS, non-party Microsoft Corp. (“Microsoft”) was advised that certain agreements between Plaintiff Arendi S.A.R.L. (“Arendi”) and Microsoft were used as exhibits and discussed in a sealed courtroom during the jury trial;

WHEREAS, Microsoft filed a Notice of Intent to Redact and/or Seal Limited Portions of the Trial Transcripts and Exhibits on May 25, 2023 (D.I. 556);

WHEREAS, under the relevant Third Circuit standard, which requires a party to show that disclosure of the material sought to be protected would cause a “clearly defined and serious injury,” *In re Avandia Marketing*, 924 F.3d 662, 672 (3d Cir. 2019), Microsoft will need access to the trial transcripts to make an informed decision regarding the proper scope of the requested redactions;

WHEREAS, Microsoft has agreed to accept copies of the transcript that have third party confidential information redacted, provided that Microsoft will have full access to portions of the transcript that mention Microsoft or its agreements, and provided that Microsoft confidential information likewise will be redacted in any transcripts provided to any third party;

IT IS HEREBY STIPULATED AND AGREED, by and through the undersigned counsel

approval of the Court, that Microsoft's outside counsel shall be permitted access to the transcripts from the jury trial held from April 24, 2023 to May 2, 2023, which a party may redact to remove third party confidential information unrelated to Microsoft or Microsoft's agreements with Arendi.

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Attorneys for Microsoft Corp.

June 9, 2023

SO ORDERED this _____ day of _____, 2023.

The Honorable Jennifer L. Hall