

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

MAXELL LTD.,

Plaintiff,

v.

APPLE INC,

Defendant.

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CIVIL ACTION NO. 5:19-CV-00036-RWS

ORDER

Before the Court is Defendant Apple’s Motion to Redact Portions of the September 17, 2019 Motions Hearing Transcript (Docket No. 115). Defendant’s motion is **DENIED**. Defendant may refile an amended motion within **three (3) days** of this Order.

This Court’s standing order requires litigants seeking transcript redactions to demonstrate that the information sought to be protected is “of such a sensitive nature that its disclosure creates a risk of harm that outweighs the strong presumption in favor of public access to judicial proceedings.” Standing Order Regarding Protection of Proprietary and/or Confidential Information to Be Presented to the Court During Motion and Trial Practice at 1 (*available at* <http://www.txed.uscourts.gov/?q=judge/district-judge-robort-schroeder-iii>). Although Apple asserts that portions it seeks to redact contain “confidential business information,” on their face the requested redactions are far broader and attempt to redact public information and court opinions. *See, e.g., Omni Medsci, Inc. v. Apple, Inc.*, No. 2:18-cv-134, ECF No. 287 (Aug. 23, 2019).

Accordingly, it is

ORDERED that Apple's Motion to Redact (Docket No. 115) is **DENIED**. Defendant may file an amended request within **three (3) days** of the date of this order to seal portions of the transcript that truly disclose confidential information in compliance with the standing order. Any request should limit the number of sealed portions and consider the public's interest in open judicial proceedings with a brief, particularized explanation for why each requested portion of the transcript should be sealed.

So ORDERED and SIGNED this 13th day of November, 2019.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE