

Upon consideration of the parties' filings, the Court makes the following findings.

First, Defendants have provided public notice of their request to seal and interested parties have been given a reasonable opportunity to object. Defendants filed their motion and public notice on June 2, 2021. (*See* Dkts. 691, 692.) Because over seven days have elapsed since Defendants filed the motion and no interested party has objected, the Court may treat this motion as uncontested under Local Civil Rule 5(C). *See* L. Civ. R. 5(C). Accordingly, Defendants have satisfied this requirement under *Ashcraft* and the Local Civil Rules.

Second, this Court has considered less drastic alternatives. Defendants filed a redacted version of their Memorandum on the public docket. (Dkt. 696.) This selective protection of information constitutes the least drastic measure of sealing confidential material. *See Adams v. Object Innovation, Inc.*, No. 3:11cv272-REP-DWD, 2011 WL 7042224, at *4 (E.D. Va. Dec. 5, 2011) “[The] proposal to redact only the proprietary and confidential information, rather than seal the entirety of [the document], constitutes the least drastic method of shielding the information at issue.”), *report and recommendation adopted*, 2012 WL 135428 (E.D. Va. Jan. 17, 2012).

Finally, the Court finds reason to seal the Memorandum and Exhibits 5-11, 18, and 21. The redacted portions contain the parties' confidential, proprietary, and competitively sensitive business information, which is also protected by the protective order in this case. Additionally, the exhibits contain the parties' interrogatory responses, expert testimony, and other technological information, which is designated as confidential. Release of this information to the public could lead to competitive harm to the parties in this lawsuit and to third parties.

Accordingly, it is hereby

ORDERED that Defendants' motion (Dkt. 691) is **GRANTED**. Docket number 694 shall remain permanently under seal.

ENTERED this 10th day of June, 2021.



/s/

THERESA CARROLL BUCHANAN
UNITED STATES MAGISTRATE JUDGE

Alexandria, Virginia