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EAGLE BROADBAND, INC.

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8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SANTA CLARA

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11 EAGLE BROADBAND, INC.,
12 Plaintiff,
13 vs.
14 DOES 1 through 25, inclusive,
15 Defendants.

CASE NO. 1-05-CV-050179

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION TO SEAL
MEMORANDUM OF POINTS AND
AUTHORITIES AND DECLARATION
IN SUPPORT OF OPPOSITION TO
DEFENDANT'S MOTION FOR
ATTORNEYS' FEES**

Accompanying Papers:
Memorandum of Points and Authorities in
Support of Motion to Seal; Notice and
Motion to Seal; Declaration in Support of
Motion to Seal

Date: August 8, 2006
Time: 9:00 a.m.
Dept.: 2
Judge: Hon. William J. Elfving

Complaint filed: October 5, 2005
Trial Date: None Set
Special Motion to Strike
Granted: March 7, 2006

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27 Plaintiff's Motion to Seal Memorandum of Points and Authorities in Support of
28 Opposition to Defendant's Motion for Attorneys' Fees and the Declaration in Support of

1 Opposition to Defendant's Motion for Attorneys' Fees, came before this Court on August 8,
2 2006.

3 Having considered Plaintiff's motion and supporting documents and for good cause
4 appearing, the Court finds that an overriding interest exists in protecting the parties' agreement
5 to seal settlement negotiation information that overcomes the right of public access to the above
6 mentioned papers. The Court further finds that this overriding interest supports sealing the
7 above mentioned papers, that a substantial probability exists that the overriding interest will be
8 prejudiced if the above mentioned papers are not sealed, and that the proposed sealing is
9 narrowly tailored and no less restrictive means exist to achieve the overriding interest.

10 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion to Seal Memorandum of
11 Points and Authorities in Support of Opposition to Defendant's Motion for Attorneys' Fees and
12 the Declaration in Support of Opposition to Defendant's Motion for Attorneys' Fees is
13 GRANTED. The Court is directed to remove these papers from the public record and file them
14 under seal.

15 IT IS SO ORDERED.

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17 Dated: _____, 2006

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19 JUDGE OF THE SUPERIOR COURT
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