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11 SEOK KI KIM and STV ASIA, LTD.

12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

15 FRANK NEMIROFSKY,
16
17 Plaintiff,
18
19 v.
20 SEOK KI KIM; STV ASIA, LTD., a British
21 Virgin Islands corporation; and DOES 1
22 through 20, inclusive,
23 Defendants.

24 SEOK KI KIM and STV ASIA, LTD., a
25 British Virgin Islands corporation,
26
27 Counterclaimants,
28
29 v.
30 FRANK NEMIROFSKY,
31
32 Counterdefendant.

Case No.: C 07 2769 JL

**ADMINISTRATIVE MOTION TO FILE
OPPOSITION TO PLAINTIFF’S *EX PARTE*
MOTION TO EXTEND THE TEMPORARY
PROTECTIVE ORDER UNDER SEAL**

Defendants/Counterclaimants Seok Ki Kim and STV Asia, LTD. (collectively, “Defendants”) hereby move the Court for an order authorizing the filing of a portion of Defendants’ Opposition to Plaintiff’s *Ex Parte* Motion to Extend the Temporary Protective Order under seal pursuant to Local Rules 7-11 and 79-5.

1 The basis of this motion is that this opposition includes information that is subject to a
2 confidential agreement.

3 **ADMINISTRATIVE MOTION**

4 On March 2, 2006, Defendant/Counterclaimant STV Asia, Ltd. (“STV”) entered into an
5 agreement with PRN Corporation (“PRN”). The agreement provides: “The parties agree that the
6 terms of this Agreement will be treated as confidential and maintained in confidence and will not be
7 disclosed to any other person....” The agreement permits disclosure under certain limited
8 circumstances that are not applicable here.

9 Certain terms of the STV-PRN agreement are relevant to this dispute and are mentioned in
10 Defendants’ Opposition to Plaintiff’s *Ex Parte* Motion to Extend the Temporary Protective Order. In
11 order to comply with STV’s obligations under the STV-PRN agreement, Defendants respectfully
12 request that the Court permit the filing of a portion of their opposition under seal.¹

13 **CONCLUSION**

14 For the reasons noted above, the Court should issue an order authorizing the filing of a portion of
15 Defendants’ opposition under seal.

16
17 Dated: June 25, 2007

Respectfully submitted,

18 HARVEY SISKIND LLP

19 By: _____ /s/
20 Seth I. Appel

21 Attorneys for Defendants and Counterclaimants
22 SEOK KI KIM and STV ASIA, LTD.

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24
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26 _____

27 ¹ The confidential portions of these documents are highlighted, in accordance with Local Rule 79-5(c).
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