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Attorneys for Defendant, Counter-Claimant and
Third Party Plaintiff, CREST FOODS, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NESTLÉ USA, INC.,
Plaintiff and Counter-
Defendant,
vs.
CREST FOODS, INC.,
Defendant, Counter-
Claimant, and Third Party
Plaintiff.
NESTLÉ CANADA, INC., and NESTEC
S.A.
Third-Party Defendants.

Case No. 2:16-cv-07519-JAK-AFM

**UNOPPOSED APPLICATION TO
FILE CONDITIONALLY UNDER
SEAL CREST FOODS INC.'S
MOTION FOR SUMMARY
JUDGMENT AND SUPPORTING
DOCUMENTS**

Judge John A. Kronstadt

1 Pursuant to Local Rule 79-5.2.2(b) and the Protective Order entered in this
2 case (ECF No. 164), Defendant, Counter-Claimant and Third Party Plaintiff Crest
3 Foods, Inc. (“Crest”) hereby applies to conditionally file under seal the following
4 documents:

5 A. Exhibit 1: Crest’s Notice of Motion and Memorandum of Points and
6 Authorities in Support of Motion for Summary Judgment on Nestlé USA’s
7 Complaint.

8 B. Exhibit 2: Crest’s Index of Evidence in Support of Motion for Summary
9 Judgment on Nestlé USA’s Complaint.

10 Counsel for Crest met and conferred with counsel for Nestle regarding the
11 filing of these documents and Nestlé’s position was that Crest should file under seal
12 the documents marked as confidential and that they do not oppose this application
13 (Scherz Decl. ¶¶ 1-2.)

14 Accordingly, Crest respectfully requests that the Court grant this application to
15 file the documents conditionally under seal.

16
17 DATED: April 8, 2019

Respectfully submitted,
LOCKE LORD LLP

19 By: /s/ Carl C. Scherz
20 Carl C. Scherz
21 Tom Yoxall
22 James Bilton
Mitchell J. Popham

23 Attorneys for Defendant, Counter-Claimant
24 and Third-Party Plaintiff, Crest Foods, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2019, I electronically filed the foregoing with the Clerk of the District Court using the CM/ECF system, which sent notification of such filing to all counsel of record:

By: /s/ Carl C. Scherz
Carl C. Scherz