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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

CONCORD MUSIC GROUP, INC., ET AL.,

Plaintiffs,

v.

ANTHROPIC PBC,

Defendant.

Case Number: 5:24-cv-03811-EKL-SVK

PLAINTIFFS' ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY'S MATERIAL SHOULD BE SEALED

Judge Eumi K. Lee
Magistrate Judge Susan van Keulen

Pursuant to Civil L.R. 7-11 and 79-5(f), Plaintiffs ("Publishers") respectfully submit this Administrative Motion to Consider Whether Another Party's Material Should Be Sealed in connection with the Declaration of Kristofer Buchan in Support of Publishers' Statement in Joint

Discovery Submission Regarding Dispute as to Sampling Protocol to Address Publishers' RFP Nos. 50–51 (the "Declaration of Kristofer Buchan").

Another Administrative Motion to Consider Whether Another Party's Material Should Be Sealed, filed in connection with Parties' Joint Discovery Submission Regarding Dispute as to Sampling Protocol to Address Publishers' RFP Nos. 50-51, is currently pending before the Court. ECF No. 340. However, due to an unredacted version of the supporting Declaration of Kristofer Buchan being inadvertently filed on the public docket, *see* ECF No. 350, Publishers have requested the permanent removal of that document, ECF No. 341-1, from the public docket and submit this Administrative Motion in connection with the filing of a corrected version.

Defendant Anthropic PBC ("Anthropic") has taken the position that the information discussed in the listed portions of the following document should be filed under seal as containing "Highly Confidential—Attorneys' Eyes Only" information:

ECF No.	Document	Portion(s) to Seal
ECF No. 351-2	Declaration of Kristofer Buchan	Highlighted portions at ¶ 33.

Publishers do not believe the portions of the Declaration of Kristofer Buchan listed above constitute "Highly Confidential—Attorneys' Eyes Only" information or warrant sealing, and Publishers intend to oppose Anthropic's sealing request, as necessary. *See Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006); *see also* Civil L. R. 79-5(a).

Nevertheless, given the position Anthropic has taken, Publishers are required to bring this motion to comply with the Parties' Stipulated Protective Order entered in this case, ECF No. 293, and the Civil Local Rules of this District. Accordingly, the Declaration of Kristofer Buchan and will be submitted provisionally under seal or redacted with this Administrative Motion, subject to Anthropic's filing of a statement and/or declaration pursuant to Civ. L.R. 79-5(f)(3), and Publishers' filing of a response in opposition to sealing pursuant to Civ. L. R. 79-5(f)(4).

Dated: May 7, 2025

Respectfully submitted,

/s/ Timothy Chung

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