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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SAN FRANCISCO DIVISION**

ANDREA BARTZ, ANDREA BARTZ, INC., CHARLES GRAEBER, KIRK WALLACE JOHNSON, and MJ + KJ, INC., individually and on behalf of others similarly situated,

Plaintiffs,

v.

ANTHROPIC PBC,

Defendant.

Case No. 3:24-CV-05417-WHA

**DEFENDANT ANTHROPIC PBC'S ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY'S MATERIAL SHOULD BE SEALED**

Date: May 15, 2025
Time: 8:00 a.m.
Place: Courtroom 12, 19th Floor

Judge: Honorable William H. Alsup

Pursuant to Civil Local Rules 7-11 and 79-5(f), Defendant Anthropic PBC ("Anthropic") moves to maintain under seal Exhibits 1-3, which were designated under the Protective Order as protected material by another party or non-party (the "Designating Party"). Anthropic also moves to maintain under seal limited portions of Anthropic's Notice of Motion and Motion for Summary Judgment and Memorandum of Points and Authorities in Support, and supporting Declaration by Steven R. Peterson, which cite to Exhibits 1–3, designated under the Protective Order as protected material by the "Designating Party."

Civil Local Rule 79-5(f) requires that a filing party "identify each document or portions thereof for which sealing is sought." Civil L.R. 79-5(f)(1). "Within 7 days of the motion's filing, the Designating Party must file a statement and/or declaration as described in subsection (c)(1)." Civil L.R. 79-5(f)(3). Pursuant to these rules, Anthropic identifies portions of the documents listed below, and filed concurrently herewith, that may contain information Plaintiffs designated Confidential or Highly Confidential Attorneys' Eyes Only under the terms of the Stipulated Protective Order. Anthropic takes no position as to the confidentiality of the information that Plaintiffs requested be filed under seal pursuant to the Protective Order. Rather, Anthropic respectfully requests that this information be sealed provisionally.

| ECF | Document | Portions to Seal (Page:Lines) | Reason |
|---|---|---|---|
| 120-3 | Exhibit 1 – Excerpts from the March 5, 2025 deposition transcript of Charles Graeber | Entire Document | Refers to material designated "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Revised Stipulated Protective Order (ECF No. 63) |
| 120-4 | Exhibit 2 – Excerpts from the March 7, 2025 deposition transcript of Andrea Bartz | Entire Document | Refers to material designated "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Revised Stipulated Protective Order (ECF No. 63) |
| 120-5 | Exhibit 3 – Excerpts from the March 6, 2025 deposition transcript of Kirk Johnson | Entire Document | Refers to material designated "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Revised Stipulated Protective Order (ECF No. 63) |
| | | | |
| 119-8 | Peterson Declaration ISO Motion for Summary Judgment | Blue highlighted[1] portions at ¶¶ 50, 60, 63, 69, 72 and footnotes 51, 69, 72, 74, 78 | Cites and quotes Exhibits 1-3, as described above. |
| 119-9 | Notice of Motion and Motion for Summary Judgment | Blue highlighted[2] portions at 7:15-17, 7:19-20, 9:8-12, 9:14-17, 9:19-23, 16:17-18, 20:18-20, 21:16-18, 21:20-21 | Cites and quotes Exhibits 1-3, as described above. |

For the foregoing reasons, Anthropic respectfully requests that this Court grant this administrative motion.

Dated: March 27, 2025

Respectfully submitted,

**ARNOLD & PORTER KAYE SCHOLER LLP**

By: */s/ Douglas A. Winthrop*
DOUGLAS A. WINTHROP

*Attorneys for Defendant*
ANTHROPIC PBC

[1] This document also includes proposed redactions in yellow highlight as it is the subject of a concurrently filed Motion to Seal regarding Anthropic's nonpublic, highly confidential information.

[2] This document also includes proposed redactions in yellow highlight as it is the subject of a concurrently filed Motion to Seal regarding Anthropic's nonpublic, highly confidential information.

**CERTIFICATE OF SERVICE**

I, Douglas A. Winthrop, am the ECF user whose identification and password are being used to file the foregoing **DEFENDANT ANTHROPIC PBC's ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY'S MATERIAL SHOULD BE SEALED**.

Dated: March 27, 2025

/s/ *Douglas A. Winthrop*