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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

Action Filed: August 19, 2024

**DEFENDANT ANTHROPIC PBC'S
ADMINISTRATIVE MOTION TO FILE
DOCUMENTS UNDER SEAL**

Judge: Honorable William H. Alsup

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Pursuant to Civil Local Rule 79-5, Defendant Anthropic PBC (“Anthropic”) moves to maintain under seal portions of Exhibits A¹ and B that Plaintiffs provisionally filed under seal on August 24, 2025 (Dkt. No. 347) because they contain highly confidential, nonpublic Anthropic business information and technical access details that could allow the public to directly access Anthropic’s file systems.

Anthropic requests only narrowly tailored redactions of this sensitive information. Anthropic respectfully requests that the information subject to this motion be sealed so that it remains confidential for the reasons detailed in the Declaration of Allyson Myers in Support of Defendant Anthropic PBC’s Administrative Motion to Seal (“Myers Sealing Declaration”) and as set forth in the Proposed Order, which is narrowly tailored to seal only the sealable material, and which lists in table format each document or portion thereof that is sought to be sealed, and also attaches proposed redacted versions of each document sought to be sealed in part.

I. LEGAL STANDARD

A party seeking to seal material is required to establish that the document, or portions thereof, are sealable. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178-79, 1182 (9th Cir. 2006). Where the underlying filing is “more than tangentially related to the merits of a case,” *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1097, 1101-02 (9th Cir. 2016), the moving party must make a showing of “compelling reasons supported by specific factual findings that outweigh the general history of access and the public policies favoring disclosure,” *Kamakana*, 447 F.3d at 1178-79 (citation omitted). Where, as here, the material is related to a discovery matter, the party seeking to seal material need only show good cause. *Kamakana*, 447 F.3d at 1179.

The Ninth Circuit also recognizes that preventing the release of proprietary information and/or trade secrets is a compelling reason for sealing. *Apple Inc. v. Psystar Corp.*, 658 F.3d 1150, 1162 (9th Cir. 2011) (“The publication of materials that could result in infringement upon trade secrets has long been considered a factor that would overcome this strong presumption.”). Examples of what might

¹ Plaintiffs originally filed a version of Exhibit A at ECF 347-4 that included information that Anthropic clawed back as privileged. Plaintiffs are concurrently filing a joint motion to expunge Exhibit A in ECF 347-4. Accordingly, the instant motion seeks to seal a corrected version of Exhibit A in which privileged information is redacted in black, while proposed redactions for confidentiality are highlighted in yellow.

constitute a compelling reason or good cause to seal include “sources of business information that might harm a litigant’s competitive standing.” *Ctr. for Auto Safety*, 809 F.3d at 1097 (quoting *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 598-99 (1978)); *U.S. Ethernet Innovations, LLC v. Acer, Inc.*, 2014 WL 6664621, at *1 (N.D. Cal. Nov. 24, 2014) (finding compelling reasons to seal “proprietary literature describing the structure, configuration, and operation of the ... technology”); *Guzik Tech. Enters., Inc. v. W. Digit. Corp.*, 2013 WL 6092852, at *11-12 (N.D. Cal. Nov. 19, 2013) (granting motion to seal confidential information regarding the plaintiff’s technology where the disclosure of that information would harm the plaintiff’s competitive standing).

II. THERE ARE COMPELLING REASONS TO SEAL

Anthropic respectfully requests that this Court seal portions of the documents described in the table below because they contain Anthropic’s highly confidential and trade secret information such that the public disclosure of this highly sensitive information would cause competitive injury to Anthropic.

Exhibit	Document Description	Portions to Seal
347-4	Exhibit A: August 20, 2025 email from Jacob S. Miller	Yellow highlighted portions
347-5	Exhibit B: August 23, 2025 email from Cameron Klein	Yellow highlighted portions

In making this request, Anthropic has carefully considered the legal standard and sought to seal the narrowest portions of documents on the public docket as possible, such that no less restrictive alternative to sealing is available. The information that Anthropic seeks to seal comprises link information that poses a security risk to internal files, highly confidential and trade secret information regarding Anthropic’s negotiations and transaction details for specific types of training data, and strategic information regarding Anthropic’s pre-training process. Public disclosure would create a significant risk of competitive harm for Anthropic because competitors could utilize it to modify their own business strategies and technical practices in order to gain a competitive advantage over Anthropic. Such harm could not be avoided by less restrictive means than the narrowly tailored sealing of these documents.

Moreover, the link access information Anthropic seeks to seal is not related to the merits of the case, meaning that the public has little to no interest in viewing the materials. *Ctr. for Auto Safety*, 809 F.3d at 1101–02. Anthropic has redacted a link that provides access information to Anthropic’s internal files. *See* Myers Sealing Declaration ¶ 2. This information is not related to the merits of any motion or claim in this case.

III. CONCLUSION

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

Dated: September 2, 2025

Respectfully submitted,

ARNOLD & PORTER KAYE SCHOLER LLP

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

Attorneys for Defendant
ANTHROPIC PBC

CERTIFICATE OF SERVICE

I am a resident of the State of California, over the age of eighteen years and not a party to the within-entitled action; my business address is Three Embarcadero Center, 10th Floor, San Francisco, California 94111. On September 2, 2025, the foregoing **DEFENDANT ANTHROPIC PBC'S ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL**, and accompanying declarations and exhibits thereto, were electronically served on the following:

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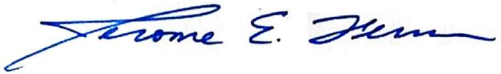
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18 I declare under penalty of perjury under the laws of the State of California and the United
19 States of America that the foregoing is true and correct. Executed September 2, 2025 at San
20 Francisco, California.

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/s/ 
JEROME E. FERRER