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12 Attorneys for Plaintiffs  
NANTWORKS, LLC and NANT HOLDINGS IP, LLC

13  
14 UNITED STATES DISTRICT COURT  
15 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
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17 NANTWORKS, LLC, a Delaware  
limited liability company, and NANT  
18 HOLDINGS IP, LLC, a Delaware  
limited liability company,

19 Plaintiffs,

20 vs.

21 BANK OF AMERICA  
22 CORPORATION, a Delaware  
corporation, and BANK OF  
23 AMERICA, N.A., a national banking  
association,

24 Defendants.  
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CASE NO. 2:20-cv-7872-GW-PVC

**PLAINTIFFS' APPLICATION TO  
FILE DOCUMENTS UNDER SEAL**

Judge: Hon. George H. Wu  
Ctrm: 9D

1           **PLEASE TAKE NOTICE** that pursuant to Civil Local Rule 79-5, Plaintiffs  
2 NantWorks, LLC, and Nant Holdings IP, LLC (collectively, “NantWorks”),  
3 respectfully submit this application to the Court for an order sealing the materials  
4 described below that are filed in connection with Plaintiffs’ Motion to Strike Portions  
5 of the Rebuttal Expert Report of Dr. James Storer. This application pertains to the  
6 following items:

- 7           • Exhibits A through M to the Declaration of Brice C. Lynch in Support of  
8           Plaintiffs’ Motion to Strike Portions of the Rebuttal Expert Report of Dr.  
9           James Storer (the “Motion to Strike”).
- 10          • Memorandum of Law in support of Plaintiffs’ Motion to Strike.

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12           As set forth in the Declaration of Brice C. Lynch in Support of Plaintiffs’  
13 Application to File Under Seal submitted herewith, the material described above are:

- 14          a) The Rebuttal Expert Report of Dr. James Storer served by Defendants Bank  
15          of America Corporation and Bank of America N.A. (“BoA”) which BoA has  
16          designated as “Highly Confidential – Attorney Eyes Only” and “Highly  
17          Confidential – Source Code”;
- 18          b) The Preliminary Infringement Contentions cover pleading served by  
19          NantWorks, which contains NantWorks’ infringement theory that includes  
20          potentially sensitive information about the accused products in this case;
- 21          c) Exhibits 1, 2, 3, and 5 attached to the Revised Infringement Contentions  
22          served by NantWorks which NantWorks has designated as “Highly  
23          Confidential – Attorneys’ Eyes Only”;
- 24          d) The Preliminary Final Infringement Contentions cover pleading served by  
25          NantWorks, which contains NantWorks’ infringement theory that includes  
26          potentially sensitive information about the accused products in this case;

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- 1 e) The Second Supplemental Responses to BoA’s Fifth Set of Interrogatories
- 2 (29) served by NantWorks which NantWorks has designated as “Highly
- 3 Confidential – Attorneys Eyes Only”;
- 4 f) The Supplemental Responses to NantWorks’s First Set of Interrogatories
- 5 (Nos. 4-5) served by BoA which BoA has designated as “Highly Confidential
- 6 – Attorneys’ Eyes Only”;
- 7 g) The letter to BoA regarding portions of Dr. James Storer’s opinions disclosed
- 8 in his rebuttal expert report served by NantWorks which contains information
- 9 BoA has designated as “Highly Confidential – Attorney Eyes Only”;
- 10 h) The letter to NantWorks regarding Dr. James Storer’s opinions included in his
- 11 rebuttal expert report served by BoA which BoA has designated as “Highly
- 12 Confidential – Attorney’s Eyes Only”;
- 13 i) The Expert Report of Dr. Dan Schonfeld served by NantWorks which
- 14 NantWorks has designated as “Contains Highly Confidential Source Code –
- 15 Attorneys’ Eyes Only”;
- 16 j) The deposition transcript of Dr. James Storer from March 29, 2024, which
- 17 BoA has designated as “Highly Confidential, Attorneys’ Eyes Only” and
- 18 “Highly Confidential Source Code – Attorneys’ Eyes Only”;
- 19 k) The Memorandum of Law in support of Plaintiffs’ Motion to Strike which
- 20 contains quotations from, references to, and descriptions of statements made
- 21 in the above referenced documents.

22 Pursuant to L.R. 79-5.2.2, NantWorks conferred with BoA and BoA

23 confirmed that they do not object sealing these materials to be filed with NantWorks’

24 Motion to Strike.

25 Accordingly, NantWorks respectfully requests for an order permitting that:

- 26 i. Exhibits A through M to Plaintiffs’ Motion to Strike be filed under seal;
- 27 ii. The unredacted version of Memorandum of Law in support of
- 28 Plaintiffs’ Motion to Strike be filed under seal.

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DATED: May 3, 2024

Respectfully submitted,

QUINN EMANUEL URQUHART &  
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By /s/ Todd M. Briggs

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