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CORPORATION
and BANK OF AMERICA, N.A.

16 **UNITED STATES DISTRICT COURT**
17 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

18 NantWorks, LLC, a Delaware limited
19 liability company, and NANT
HOLDINGS IP, LLC, a Delaware
20 limited liability company,

21 Plaintiffs,

22 vs.

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

25 Defendants.
26
27
28

Case No. 2:20-CV-7872-GW-PVC

**DEFENDANTS' UNOPPOSED
APPLICATION TO FILE
DOCUMENTS UNDER SEAL**

Local Rule 79-5.2.2(b)

[Filed concurrently with Declaration of
Danielle Williams and Proposed Order]

1 TO THE COURT, PLAINTIFFS AND THEIR ATTORNEYS OF RECORD:

2 NOTICE IS HEREBY GIVEN that, pursuant to Local Rule 79-5.2.2.(b),
 3 Defendants Bank of America Corporation and Bank of America, N.A. (collectively,
 4 “Defendants” or “Bank of America”), hereby request that this Court enter an order
 5 permitting them to file under seal the materials described below that are filed in
 6 connection with Defendants’ Motion for Partial Summary Judgment as to Plaintiffs’
 7 Breach of Contract Claim (the “Breach of Contract Motion for Summary Judgment”):

Document Description	Nature of Information to be Sealed
9 Defendants’ Notice of Motion, 10 Memorandum of Law, and Statement 11 Uncontroverted of Fact and Conclusions 12 of Law. 13 14	Designated by Defendants as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing these documents in their entirety.
15 Exhibit 1 to the Declaration of Danielle 16 Williams in Support of the Breach of 17 Contract Motion for Summary 18 Judgment: the April 27, 2010 Non- 19 Disclosure Agreement, produced at 20 NANT_BOA00014229-232.	Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing this exhibit in its entirety.
21 Exhibit 2 to the Declaration of Danielle 22 Williams in Support of the Breach of 23 Contract Motion for Summary 24 Judgment: the April 27, 2010 Non- 25 Disclosure Agreement, produced at 26 NANT_BOA00127633-37.	Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing this exhibit in its entirety.
27 Exhibit 3 to the Declaration of Danielle 28	Designated by Plaintiffs as “HIGHLY

Document Description	Nature of Information to be Sealed
<p>Williams in Support of the Breach of Contract Motion for Summary Judgment: Plaintiffs’ Corrected Third Supplemental Objections and Responses to Defendants’ Third Set of Interrogatories.</p>	<p>CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing this exhibit in its entirety.</p>
<p>Exhibit 4 to the Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: Excerpted Copy of the Expert Report of Dan Schonfeld, Ph.D., Regarding the Infringement of the Asserted Claims.</p>	<p>Designated by Plaintiffs as “CONTAINS HIGHLY CONFIDENTIAL SOURCE CODE – ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210), and contains excerpts of documents designated by Bank of America and third-party Mitek as “Highly Confidential – Attorneys’ Eyes Only.” Plaintiffs and Mitek do not oppose sealing this exhibit in its entirety.</p>
<p>Exhibit 5 to the Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: Declaration of Marwan Hassoun, Ph.D., which attaches as Exhibit A, a true and correct excerpted copy of the Rebuttal Expert Report of Marwan Hassoun, submitted March 19, 2024</p>	<p>Designated by Defendants as “Highly Confidential—Attorneys’ Eyes Only” and “Highly Confidential—Source Code” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing this exhibit in its entirety.</p>
<p>Exhibit 6 to the Declaration of Danielle</p>	<p>Designated by Plaintiffs as “HIGHLY</p>

Document Description	Nature of Information to be Sealed
<p>Williams in Support of the Breach of Contract Motion for Summary Judgment: the October 31, 2011 Collaboration Research Agreement (“CRA”), produced at NANT_BOA00000026-113.</p>	<p>CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing this exhibit in its entirety.</p>
<p>Exhibit 7 to the Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: the CRA, produced at BOFA00031002-31041.</p>	<p>Designated by Defendants as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing this exhibit in its entirety.</p>
<p>Exhibit 8 to the Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: the May 2, 2013 Non-Disclosure Agreement (“2013 NDA”), produced at NANT_BOA00014234-37.</p>	<p>Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing this exhibit in its entirety.</p>
<p>Exhibit 9 to the Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: the 2013 NDA, produced at NANT_BOA00127638-641.</p>	<p>Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing this exhibit in its entirety.</p>
<p>Exhibit 10 to the Declaration of Danielle Williams in Support of the Breach of</p>	<p>Designated by Plaintiffs as “CONFIDENTIAL– ATTORNEYS’</p>

Document Description	Nature of Information to be Sealed
<p>Contract Motion for Summary Judgment: Excerpted Copy of the Expert Report of Patrick Kennedy, Ph.D., Regarding Damages.</p>	<p>EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing this exhibit in its entirety.</p>
<p>Exhibit 11 to the Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: June 4, 2012 In8 ID, LLC Contribution Agreement, produced at NANT_BOA00018657-677.</p>	<p>Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing this exhibit in its entirety.</p>
<p>Exhibit 12 to the Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: Excerpted Copy of the Deposition of Dora Gruner.</p>	<p>Designated by Plaintiffs as “CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing this exhibit in its entirety.</p>
<p>Exhibit 13 to the Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: A copy of the document, NANT_BOA00020686-687, produced by Plaintiffs</p>	<p>Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos. 102, 210). Plaintiffs do not oppose sealing this exhibit in its entirety.</p>
<p>Exhibit 16 to the Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: Excerpted Copy of the</p>	<p>Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. Nos.</p>

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