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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
CORRECTED APPLICATION TO
FILE DOCUMENTS UNDER SEAL**

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’ Corrected Motion for Partial Summary Judgment as to
 7 Plaintiffs’ Breach of Contract Claim (the “Breach of Contract Motion for Summary
 8 Judgment”):

Document Description	Nature of Information to be Sealed
9 10 Defendants’ Corrected Notice of 11 Motion, Corrected Memorandum of 12 Law, and Corrected Statement of 13 Uncontroverted Facts. 14 15 16	Designated by Defendants as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order(Dkt. No. 210). Plaintiffs do not oppose sealing these documents in their entirety.
17 Exhibit 1 to the Corrected Declaration 18 of Danielle Williams in Support of the 19 Breach of Contract Motion for 20 Summary Judgment: the April 27, 2010 21 Non-Disclosure Agreement, produced 22 at NANT_BOA00014229-232.	Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order(Dkt. No. 210). Plaintiffs do not oppose sealing this exhibit in its entirety.
23 Exhibit 2 to the Corrected Declaration 24 of Danielle Williams in Support of the 25 Breach of Contract Motion for 26 Summary Judgment: the April 27, 2010 27 Non-Disclosure Agreement, produced 28	Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order(Dkt. No. 210). Plaintiffs do not oppose sealing

Document Description	Nature of Information to be Sealed
at NANT_BOA00127633-37.	this exhibit in its entirety.
Exhibit 3 to the Corrected Declaration of Danielle 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.	Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. No. 210). Plaintiffs do not oppose sealing this exhibit in its entirety.
Exhibit 4 to the Corrected 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.	Designated by Plaintiffs as “CONTAINS HIGHLY CONFIDENTIAL SOURCE CODE – ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. No. 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.
Exhibit 5 to the Corrected Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: Declaration of Marwan Hassoun, Ph.D., which	Designated by Defendants as “Highly Confidential—Attorneys’ Eyes Only” and “Highly Confidential—Source Code” under the parties’ stipulated protective order (Dkt. No. 210).

Document Description	Nature of Information to be Sealed
attaches as Exhibit A, a true and correct excerpted copy of the Rebuttal Expert Report of Marwan Hassoun, submitted March 19, 2024	Plaintiffs do not oppose sealing this exhibit in its entirety.
Exhibit 6 to the Corrected Declaration of Danielle 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.	Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. No. 210). Plaintiffs do not oppose sealing this exhibit in its entirety.
Exhibit 7 to the Corrected Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: the CRA, produced at BOFA00031002-31041.	Designated by Defendants as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. No. 210). Plaintiffs do not oppose sealing this exhibit in its entirety.
Exhibit 8 to the Corrected 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.	Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. No. 210). Plaintiffs do not oppose sealing this exhibit in its entirety.
Exhibit 9 to the Corrected Declaration	Designated by Plaintiffs as “HIGHLY

Document Description	Nature of Information to be Sealed
of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: the 2013 NDA, produced at NANT_BOA00127638-641.	CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. No. 210). Plaintiffs do not oppose sealing this exhibit in its entirety.
Exhibit 10 to the Corrected Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: Excerpted Copy of the Expert Report of Patrick Kennedy, Ph.D., Regarding Damages.	Designated by Plaintiffs as “CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. No. 210). Plaintiffs do not oppose sealing this exhibit in its entirety.
Exhibit 11 to the Corrected 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.	Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. No. 210). Plaintiffs do not oppose sealing this exhibit in its entirety.
Exhibit 12 to the Corrected Declaration of Danielle Williams in Support of the Breach of Contract Motion for Summary Judgment: Excerpted Copy of the Deposition of Dora Gruner.	Designated by Plaintiffs as “CONFIDENTIAL– ATTORNEYS’ EYES ONLY” under the parties’ stipulated protective order (Dkt. No. 210). Plaintiffs do not oppose sealing this exhibit in its entirety.
Exhibit 13 to the Corrected Declaration of Danielle Williams in Support of the	Designated by Plaintiffs as “HIGHLY CONFIDENTIAL– ATTORNEYS’

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