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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’ Opposition to Defendants’  
5 Motion to Strike Certain Opinions in Dr. Schonfeld’s Opening Expert Report  
6 Regarding Infringement. This application pertains to the following items:

- 7           • Plaintiffs’ Opposition to Defendants’ Motion to Strike Certain Opinions  
8           in Dr. Schonfeld’s Opening Expert Report Regarding Infringement (the  
9           “Opposition to Motion to Strike”);
- 10          • Exhibits 1-2, 4-6, and 8-9 to the Declaration of Brice C. Lynch in Support  
11          of Plaintiffs’ Opposition to Motion to Strike.

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

- 15          a) the deposition transcript of Charles Christopher Harbinson, dated October 19,  
16          2023, which was designated “Contains Confidential Attorney Eyes Only  
17          Material”;
- 18          b) the Expert Report of James Storer served on January 30, 2024, which was  
19          designated “Highly Confidential – Attorney Eyes Only”;
- 20          c) the deposition transcript of Pavan Chayanam dated October 10, 2023, which  
21          was designated “Highly Confidential Attorneys’ Eyes Only” and “Contains  
22          Highly Confidential Source Code”;
- 23          d) the deposition transcript of Fred Fortaleza Fernandez, Jr. dated November 16,  
24          2023, which was designated “Highly Confidential – Attorney Eyes Only” and  
25          “Highly Confidential Source Code”;
- 26          e) a copy of the letter correspondence from counsel for defendants, Danielle T.  
27          Williams, to me dated February 23, 2024, which was designated as “Highly  
28          Confidential – Attorney’s Eyes Only”;

- 1 f) the Expert Report of Patrick F. Kennedy, Ph.D, dated January 30, 2024, which  
2 was designated as “CONFIDENTIAL – ATTORNEYS’ EYES ONLY”;
- 3 g) the deposition transcript of Dr. Dan Schonfeld, dated April 10-11, 2024, which  
4 was designated “Highly Confidential, Attorneys’ Eyes Only.”
- 5 h) Plaintiffs’ Opposition to Defendants’ Motion to Strike Certain Opinions in Dr.  
6 Schonfeld’s Opening Expert Report Regarding Infringement, submitted  
7 contemporaneously herewith, which contains quotations from, references to,  
8 and descriptions of statements made in the documents referenced above in (a)-  
9 (g).

10 Pursuant to L.R. 79-5.2.2, NantWorks conferred with BoA and BoA  
11 confirmed that they do not object sealing these materials to be filed with NantWorks’  
12 Opposition to Motion to Strike.

13 Accordingly, NantWorks respectfully requests for an order permitting that the  
14 following documents be filed under seal:

- 15 i. Plaintiffs’ Opposition to Motion to Strike;
- 16 ii. Exhibits 1-2, 4-6, and 8-9 to the Declaration of Brice C. Lynch in  
17 Support of Plaintiffs’ Opposition Motion to Strike
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1 DATED: May 17, 2024

Respectfully submitted,

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By /s/ Todd M. Briggs

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Brice C. Lynch

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