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10 *Attorneys for Plaintiff Lyft, Inc.*

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN JOSE DIVISION**

14 LYFT, INC.

15 Plaintiff,

16 v.

17 AGIS SOFTWARE DEVELOPMENT LLC,

18 Defendant.

Case No. 5:21-cv-04653-BLF

**DECLARATION OF BETHANY R.
SALPIETRA IN SUPPORT OF
PLAINTIFF LYFT, INC.'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED**

Judge: Hon. Beth Labson Freeman
Trial Date: October 16, 2023
Courtroom: 3, Fifth Floor

1 I, Bethany R. Salpietra, declare as follows:

2 1. I am over the age of 21 and am fully competent to make this declaration. I have
3 personal knowledge of all facts recited herein and state that such facts are true and correct to my
4 knowledge or information and belief, and, if called upon to do so, I would testify competently about
5 them.

6 2. I am duly admitted to practice law in the State of Texas and before this Court. I am
7 counsel at the law firm of Baker Botts L.L.P., 2001 Ross Ave., Ste. 900, Dallas, TX 75201, and I
8 represent Lyft, Inc. (“Lyft”) in the above-captioned action.

9 3. I have reviewed and complied with the Court’s Standing Order Re Civil Cases (dated
10 February 18, 2021).

11 4. I have reviewed and complied with the Northern District of California’s Civil L.R.
12 79-5 and 7-11 (dated November 1, 2021).

13 5. I submit this declaration in support of Defendant Lyft, Inc.’s Administrative Motion
14 to Consider Whether Another Party’s Material Should Be Sealed for the following documents:

| ECF or Exh. No. | Document | Portion(s) to Seal | Reason(s) for Sealing |
|-----------------|---|---|--|
| ECF 107 | Plaintiff Lyft, Inc.’s Reply in Support of Its Motion for Leave to File First Amended Complaint | Highlighted Portions at: • Page 4: lines 15-21, 22-27; • Page 5: lines 1-2, 24-27; • Page 6: lines 2- 3; • Page 8: lines 1-2, 10-11 | The highlighted portions disclose information from Exhibit 13 to Declaration of Bethany R. Salpietra ISO Plaintiff Lyft, Inc.’s Reply ISO Its Motion for Leave to File First Amended Complaint, which AGIS Software Development LLC (“AGIS Software”) designated as highly confidential. Lyft takes no position with regard to this designation. |
| ECF 107-2 | Exhibit 13 to Declaration of Bethany R. Salpietra ISO Plaintiff Lyft, Inc.’s Reply ISO Its Motion for Leave to File First Amended Complaint (excerpts from a true | Entire Document | AGIS Software designated the source document from which the information was taken as highly confidential. Lyft takes no position with regard to such designations. |

| | | | |
|--|--|--|--|
| | and correct copy of the March 22, 2022 Deposition Tr. of Thomas Meriam) | | |
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6. The documents that Lyft seeks to file under seal contain confidential information of AGIS Software. Lyft understands that AGIS Software considers this information confidential. Lyft takes no position with regard to these designations.

7. Lyft therefore lodges with the Court copies of (1) Plaintiff Lyft, Inc.'s Reply in Support of Its Motion for Leave to File First Amended Complaint, (2) Exhibit 13 to Declaration of Bethany R. Salpietra in Support of Plaintiff Lyft, Inc.'s Reply in Support of Its Motion for Leave to File First Amended Complaint.

8. Executed on this 19th day of April, 2022 at Dallas, Texas, County of Dallas. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: April 19, 2022

Respectfully submitted,

By: /s/ Bethany R. Salpietra
Bethany R. Salpietra

Attorneys for Plaintiff Lyft, Inc.

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