

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BAKER BOTTS L.L.P.
Jeremy J. Taylor (SBN 249075)
jeremy.taylor@bakerbotts.com
Arya Moshiri (SBN 324231)
arya.moshiri@bakerbotts.com
101 California St., Ste. 3600
San Francisco, CA 94111
Telephone: 415.291.6200
Facsimile: 415.291.6300

Kurt M. Pankratz (pro hac vice)
Bethany R. Salpietra (pro hac vice)
kurt.pankratz@bakerbotts.com
bethany.salpietra@bakerbotts.com
2001 Ross Ave., Ste. 900
Dallas, TX 75201
Telephone: 214.953.6500
Facsimile: 214.953.6503

Attorneys for Plaintiff Lyft, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

LYFT, INC.

Plaintiff,

v.

AGIS SOFTWARE DEVELOPMENT LLC,

Defendant.

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

**PLAINTIFF LYFT, INC.'S
ADMINISTRATIVE MOTION TO SEAL**

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

1 Plaintiff Lyft, Inc. (“Lyft”) has reviewed and complied with the Court’s Standing Order
2 Governing Administrative Motions to File Materials Under Seal.

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

5 Lyft respectfully submits this Motion Seal 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: <ul style="list-style-type: none"> • Page 5: line 11 	The highlighted text at Page 5, line 11 discloses Lyft’s sensitive, non, public, and confidential, business information filed under seal in the EDTX Action. This highlighted text is an estimate of the total amount of fees and costs sought by Lyft in the EDTX Action, of which the fee portion is highly confidential and, absent sealing, can be deduced due to the cost portion being publicly available. <i>See</i> EDTX Action, ECF Nos. 373 & 375. Disclosure of this information could cause competitive harm to Lyft by providing an incomplete and misleading picture of the nature and magnitude of legal fees expended for the EDTX Action in view of the fact that Lyft is seeking only a limited amount of its overall fees. <i>See Adtrader, Inc. v. Google LLC</i> , No. 17-cv-07082-BLF, 2020 U.S. Dist. LEXIS 71651 (N.D. Cal. Mar. 24, 2020) (finding good cause to seal financial figures related to a motion for attorneys’ fees).

6 This motion is further supported by the Declaration of Bethany R. Salpietra (“Salpietra
7 Declaration”) in Support of Plaintiff Lyft, Inc.’s Administrative Motion to Seal. This motion is
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 narrowly tailored to seal materials necessary and able to overcome the presumption in favor of
2 access to court records. This motion is accompanied by the Salpietra Declaration and a proposed
3 order. Lyft therefore lodges with the Court a copy of (1) Plaintiff Lyft, Inc.'s Reply in Support of
4 its Motion for Leave to File First Amended Complaint.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 19, 2022

Respectfully submitted,

By: /s/ Jeremy J. Taylor

Jeremy J. Taylor

Jeremy J. Taylor (SBN 249075)
Arya Moshiri (SBN 324231)
jeremy.taylor@bakerbotts.com
arya.moshiri@bakerbotts.com
BAKER BOTTS L.L.P.
101 California St., Ste. 3600
San Francisco, CA 94111
Telephone: 415.291.6200
Facsimile: 415.291.6300

Kurt M. Pankratz (*pro hac vice*)
Bethany R. Salpietra (*pro hac vice*)
kurt.pankratz@bakerbotts.com
bethany.salpietra@bakerbotts.com
BAKER BOTTS L.L.P.
2001 Ross Ave., Ste. 900
Dallas, TX 75201
Telephone: 214.953.6500
Facsimile: 214.953.6503

Attorneys for Plaintiff Lyft, Inc.