

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

Bethany R. Salpietra (*pro hac vice*)  
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**

LYFT, INC.

Plaintiff,

v.

AGIS SOFTWARE DEVELOPMENT LLC,

Defendant.

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

**PLAINTIFF LYFT, INC.’S 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 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 to Consider Whether Another Party’s Material Should  
6 Be Sealed for the following documents:

ECF or Exh. No.	Document	Portion(s) to Seal	Reason(s) for Sealing
ECF 78	Plaintiff Lyft, Inc.’s Motion for Leave to File First Amended Complaint	Highlighted Portions at: <ul style="list-style-type: none"> <li>• Page 5: lines 6-12, 18, 23-26;</li> <li>• Page 6: line 4;</li> <li>• Page 7: lines 13-14</li> </ul>	The highlighted portions disclose information from Exhibits 7 and 11 to Plaintiff Lyft, Inc.’s 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 78-2	Exhibit 1 to Declaration of Bethany R. Salpietra ISO Plaintiff Lyft, Inc.’s Motion for Leave to File First Amended Complaint (First Amended Complaint)	Highlighted Portions at: <ul style="list-style-type: none"> <li>• Page 4: lines 8-10, 16-17;</li> <li>• Page 5: lines 18-22</li> <li>• Page 14: lines 13-17;</li> <li>• Page 15: lines 1, 16-19, 25-28;</li> <li>• Page 16: lines 15-16, 20-27;</li> <li>• Page 17: lines 5-7, 12-13</li> </ul>	AGIS Software designated the source document from which the information was taken as highly confidential. Lyft takes no position with regard to such designations.
ECF 78-8	Exhibit 7 to Declaration of Bethany R. Salpietra ISO Plaintiff Lyft, Inc.’s Motion for Leave to File First Amended Complaint (Defendant AGIS Software’s First Supplemental Objections and Responses to Lyft Inc.’s First Set of	Entire Document	AGIS Software designated this document as highly confidential. Lyft takes no position with regard to this designation.

	Jurisdictional Interrogatories)		
ECF 78-12	Exhibit 11 to Declaration of Bethany R. Salpietra ISO Plaintiff Lyft, Inc.'s Motion for Leave to File First Amended Complaint (30(b)(6) Deposition Transcript of Thomas Meriam, dated March 22, 2022)	Entire Document	AGIS Software designated this document as highly confidential. Lyft takes no position with regard to this designation.

This motion is further supported by the Declaration of Bethany R. Salpietra (“Salpietra Declaration”) in Support of Plaintiff Lyft, Inc.’s Motion to Consider Whether Another Party’s Material Should Be Sealed. Pursuant to Civil L.R., 79-5(e), Lyft identifies AGIS Software as having designated the information above as Highly Confidential or Confidential.

This motion is narrowly tailored to seal materials necessary and able to overcome the presumption in favor of access to court records. This motion is accompanied by the Salpietra Declaration and a proposed order. Lyft therefore lodges with the Court copies of (1) Plaintiff Lyft, Inc.’s Motion for Leave to File First Amended Complaint, (2) Exhibit 1 to Declaration of Bethany R. Salpietra in Support of Plaintiff Lyft, Inc.’s Motion for Leave to File First Amended Complaint, (3) Exhibit 7 to Declaration of Bethany R. Salpietra in Support of Plaintiff Lyft, Inc.’s Motion for Leave to File First Amended Complaint, and (4) Exhibit 11 to Declaration of Bethany R. Salpietra in Support of Plaintiff Lyft, Inc.’s Motion for Leave to File First Amended Complaint.

Dated: March 28, 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

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`

Bethany R. Salpietra (*pro hac vice*)  
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.*