

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

ARBUTUS BIOPHARMA CORPORATION)	
and GENEVANT SCIENCES GmbH,)	
)	
Plaintiffs,)	
)	C.A. No. 22-252-MSG
v.)	
)	
MODERNA, INC. and MODERNATX, INC.)	
)	
Defendants.)	
)	

**MOTION TO SEAL EXHIBIT 1 TO
MODERNA’S MOTION TO COMPEL (D.I. 341)**

Pursuant to the Protective Order (D.I. 91) as modified by the Court’s November 14, 2023 Order (D.I. 155), Plaintiffs respectfully move this Court for an order granting leave to redact Exhibit 1 to Moderna’s Letter regarding its Motion to Compel discovery from Plaintiffs and Roivant Sciences Ltd. (D.I. 341). This document is a confidential email and attachment between executives at Arbutus and Roivant, with an attachment containing a third-party analysis of litigation and business opportunity, and its disclosure would work a clearly defined and serious injury on Plaintiffs. Defendants do not oppose this motion.

This document was previously filed in connection with an earlier motion to compel. D.I. 223, Ex. J. Plaintiffs moved for leave to redact the document in that instance as well, and the Court granted the motion. D.I. 245. Accordingly, Plaintiffs rely on the previously filed briefing at D.I. 242, and the related declaration of Christopher Natzger (D.I. 242-2) in support of this motion.

WHEREFORE, Plaintiffs respectfully request that the Court grant this motion and enter the attached order permitting Plaintiffs to file a version of D.I. 341 which redacts Ex. 1 in its entirety.

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