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16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**
19

20 OTO ANALYTICS, LLC,

21 Petitioner,

22 v.

23 BENWORTH CAPITAL PARTNERS
24 LLC,

25 Respondent.

Case No. 3:24-CV-03975-AMO

**PETITIONER'S ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
ANOTHER PARTY'S MATERIAL
SHOULD BE SEALED**

Judge Martínez-Olguín

Pursuant to Civil Local Rule 79-5(f), Petitioner Oto Analytics, LLC (f/k/a Oto Analytics, Inc., d/b/a Womply) (“Womply”) respectfully submits this Administrative Motion To Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) in connection with its Notice of Motion and Motion to Confirm Arbitration Award And For Entry of Judgment (“Motion”).

Civil Local Rule 79-5(f) provides that “[f]or any document a party (‘Filing Party’) seeks to seal because that document has been designated as confidential by another party or non-party, (the ‘Designating Party’), the Filing Party must . . . file an Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed,” so that “the Designating Party [can] file a statement and/or declaration” justifying any sealing or redaction. In accordance with Civil Local Rule 79-5(f), Petitioner submits this Administrative Motion because its Motion and accompanying Declaration of Alexander L. Cheney (“Cheney Declaration”) and exhibits contain certain information that Respondent Benworth Capital Partners LLP (“Benworth”) has claimed or may claim is confidential. Benworth has the burden to justify its claims of confidentiality and to establish that the designated information is sealable. Civ. L.R. 79-5(f)(3) & (c)(1). In the interim, Womply is provisionally submitting the following information under seal:

Docket No.	Document	Page/Line Nos.
41	Notice of Motion and Motion to Confirm Arbitration Award And For Entry of Judgment	Page 8, Line(s) 13–17
41-2	Cheney Declaration	Page 2, Line(s) 19–24
41-5	Exhibit 3 to the Cheney Declaration, Corrected Final Award, dated June 26, 2024	Portions of pages 16–17, 24, 25–29, 37–39, 44–45, 50–51, 53
41-9	Exhibit 7 to the Cheney Declaration, Arbitration Order, dated January 17, 2023	Portions of pages 2–4
41-10	Exhibit 8 to the Cheney Declaration, Arbitration Order, dated January 31, 2023	Portions of page 1–2

1 WHEREFORE, Womply respectfully submits this Administrative Motion pursuant to Civil
2 Local Rule 79-5, and hereby notifies Benworth of its burden to establish that the designated material
3 is sealable if Benworth seeks to have the material sealed. In accordance with Civil Local
4 Rule 79-5(e), unredacted versions of these documents accompany this Administrative Motion.

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6 Date: August 20, 2024

WILLKIE FARR & GALLAGHER LLP

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8 By: /s/ Alexander L. Cheney
9 Alexander L. Cheney
10 Stuart R. Lombardi (admitted *pro hac*
11 *vice*)
12 Joshua S. Levy (admitted *pro hac vice*)

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14 *Attorneys for Petitioner*
15 *Oto Analytics, LLC*
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CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2024, I served a copy of Petitioner's Administrative Motion to Consider Whether Another Party's Material Should be Sealed; a [Proposed] Order Granting Petitioner's Administrative Motion to Consider Whether Another Party's Material Should be Sealed; Petitioner's Notice of Motion and Motion to Confirm Arbitration Award And For Entry of Judgment; Exhibit 3 to the Cheney Declaration; Exhibit 7 to the Cheney Declaration; and Exhibit 8 to the Cheney Declaration, by transmitting via e-mail or electronic transmission the foregoing documents to the persons at the e-mail addresses set forth below:

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Dated: August 20, 2024

By: /s/ Alexander L. Cheney

Attorney for Petitioner Oto Analytics, LLC