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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BENWORTH CAPITAL PARTNERS LLC, Case No. 3:24-cv-4840-AMO

Petitioner,

v.

OTO ANALYTICS, LLC,

Respondent.

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

Hon. Araceli Martínez-Olguín

Pursuant to Civil Local Rule 79-5(f), Respondent 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 Opposition to Petition to Vacate Final Arbitration Award (“Opposition”).

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), Respondent submits this Administrative Motion because its Opposition and accompanying exhibits to the Declaration of Alexander L. Cheney (“Cheney Declaration”) contain certain information that Petitioner 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:

Document title or description	Dkt. No. of redacted version	Dkt. No. of unredacted version	Dkt. No. of decl. in support of sealing	Party with burden to substantiate need to seal	Full or partial sealing sought	Brief statement of reason for sealing	Granted/ Denied
Opposition to Petition to Vacate Final Arbitration Award	25	26-2		Petitioner, Benworth	Partial, Page 12, Lines 8–12.	Material that Petitioner has claimed or may claim is confidential	
Exhibit 2 to Declaration of Alexander L. Cheney	25-4	26-3		Petitioner, Benworth	Full	Material that Petitioner has claimed or may claim is confidential	

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 26, 2024

WILLKIE FARR & GALLAGHER LLP

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

10 *Attorneys for Respondent*
11 *Oto Analytics, LLC*
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CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2024, I served a copy of Respondent's Administrative Motion to Consider Whether Another Party's Material Should be Sealed; a [Proposed] Order Granting Respondent's Administrative Motion to Consider Whether Another Party's Material Should be Sealed; Respondent's Opposition to Petition to Vacate Final Arbitration Award, and Exhibit 2 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 26, 2024

By: /s/ Alexander L. Cheney

Attorney for Respondent Oto Analytics, LLC