

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Gordoa v. Apple, Inc.

Gordoa · No. 3:22-cv-02900-JSC · Decided April 28, 2025

SUMMARY

The United States District Court for the Northern District of California resolves the parties’ administrative motions to seal materials related to Apple’s motion for summary judgment and motion to exclude a plaintiff’s expert. The court grants Apple’s narrowly tailored sealing requests, denies Plaintiffs’ request to seal all exhibits based only on a protective order, and disposes of Docket Nos. 198, 208, and 213.

CASE DETAILS

COURT	United States District Court for the Northern District of California
JURISDICTION	United States District Court for the Northern District of California
DECIDED	April 28, 2025
DOCKET	3:22-cv-02900-JSC
DISPOSITION	other
PROCEDURAL POSTURE	The parties filed administrative motions to seal materials submitted in connection with Apple's motion for summary judgment and motion to exclude plaintiffs' expert, Dr. Hahn.
STANDARD OF REVIEW	Motions to seal judicial records relating to matters more than tangentially related to the underlying cause of action require compelling reasons supported by specific factual findings that outweigh the presumption of public access. Requests must be narrowly tailored and supported by specific statements explaining the interests warranting sealing, the injury from disclosure, and why less restrictive alternatives are inadequate.
PRECEDENTIAL VALUE	unpublished
PARTIES	Carlos Gordoa, et al. v. Apple, Inc.

TOPICS

- civil procedure
- summary judgment
- evidence
- commercial litigation

PRACTICE AREAS

civil procedure

commercial litigation

evidence

QUESTIONS PRESENTED

1. Whether Apple demonstrated compelling reasons to seal limited portions of materials submitted with its summary-judgment and expert-exclusion motions.
2. Whether plaintiffs demonstrated sufficient grounds to seal all 22 exhibits to their opposition based on a general assertion of confidentiality and the parties' protective order.
3. Whether Apple demonstrated sufficient grounds to seal limited portions of four exhibits to plaintiffs' opposition based on proprietary and confidential source-code information.

HOLDINGS

1. Apple met its burden to show that sealing limited portions of Exhibits A and C and all of Exhibit B was appropriate because the materials contained sensitive business information concerning Apple's safety-testing protocols and product testing.
2. Plaintiffs failed to establish grounds for sealing all 22 exhibits because reliance on the parties' protective order and a general assertion of confidentiality did not satisfy the requirements for sealing, and the request was not narrowly tailored.
3. Apple met its burden to seal limited portions of Exhibits 12, 13, 14, and 15 because those portions contained sensitive business information, including proprietary and confidential source code.

KEY QUOTATIONS

“In considering motions to seal, courts recognize “a strong presumption in favor of access is the starting point.”” (at 1)

“Reference to a stipulation or protective order that allows a party to designate certain documents as confidential is not sufficient to establish that a document, or portions thereof, are sealable.” (at 2)

FACTUAL BACKGROUND

Apple sought to seal portions of exhibits submitted with its motions for summary judgment and to exclude plaintiffs' expert, asserting that the materials contained sensitive business information concerning safety-testing protocols and product testing. Plaintiffs sought to seal all 22 exhibits supporting their opposition based only on the parties' protective order and alleged confidentiality. Apple separately sought to seal limited portions of four exhibits to plaintiffs' opposition, asserting that they contained proprietary and confidential source-code information.

PROCEDURAL HISTORY

In the underlying civil action, Apple moved for summary judgment and to exclude plaintiffs' causation expert. The parties filed motions to seal related exhibits and briefing. The court granted Apple's motions to seal limited

portions of its materials, denied plaintiffs' overbroad motion to seal all 22 opposition exhibits, and granted Apple's narrower motion concerning portions of four exhibits.

DISPOSITION

other

CASES CITED

- Kamakana v. City & County of Honolulu, 447 F.3d 1172, 1178-79 (9th Cir. 2006)
- Ctr. for Auto Safety v. Chrysler Grp., 809 F.3d 1092, 1097, 1099 (9th Cir. 2016)
- Nixon v. Warner Commc'ns, Inc., 435 U.S. 589, 597-98 (1978)

OPINION

Gordoa v. Apple, Inc.

PER CURIAM.

1 2 3

4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 CARLOS GORDOA, et al., Case No. 3:22-cv-02900-JSC 8 Plaintiffs,

ORDER RE: ADMINISTRATIVE

9 v. MOTIONS TO SEAL SUMMARY

JUDGMENT AND DAUBERT

10 APPLE, INC., BRIEFING

11 Defendant. Re: Dkt. Nos. 198, 208, 213 12 13 In connection with the Apple’s motion for
summary judgment and motion to exclude 14 Plaintiff’s expert, Dr. Hahn, the parties filed several
motions to seal. (Dkt. Nos. 198, 208, 213.) 15 This Order resolves those motions. 16 In
considering motions to seal, courts recognize “a strong presumption in favor of access is 17 the
starting point.” Kamakana v. City & Cnty. Of Honolulu, 447 F.3d 1172, 1178 (9th Cir. 2006) 18
(cleaned up). Parties seeking to seal judicial records relating to motions such as this that are 19
“more than tangentially related to the underlying cause of action,” Ctr. for Auto Safety v. Chrysler
20 Grp., 809 F.3d 1092, 1099 (9th Cir. 2016), bear the burden of overcoming the presumption with
21 “compelling reasons supported by specific factual findings that outweigh the general history of
22 access and the public policies favoring disclosure, such as the public interest in understanding
the 23 judicial process,” Kamakana, 447 F.3d at 1178–79 (cleaned up). A request to seal may be 24
supported by compelling reasons if the documents or portions of documents at issue are “sources
25 of business information that might harm a litigant’s competitive standing.” Ctr. for Auto Safety,
26 809 F.3d at 1097 (citation omitted); Nixon, 435 U.S. at 598. Designating parties moving to seal
27 their own or another party’s materials must comply with Civil Local Rule 79-5. The rule 1
03041-JSC, 2023 WL 3168322, at *5 (N.D. Cal. Apr. 17, 2023). 2 Apple seeks sealing of portions

of Exhibits A and C, and all of Exhibit B submitted with 3 its motion for summary judgment and motion to exclude Plaintiffs' causation opinion. (Dkt. No. 4 198.) Apple contends sealing is proper because the documents contain "sensitive business 5 information" including information regarding Apple's safety testing protocols, and the scope 6 nature, and timing of Apple product testing. (Dkt. No. 198-1 at ¶¶ 4-5.) Apple has met its burden 7 of demonstrating sealing of the limited portions of these documents is appropriate and its motion 8 is GRANTED. 9 Plaintiffs seek sealing of all 22 exhibits to their opposition to Apple's motion for summary 10 judgment and motion to exclude in their entirety. (Dkt. No. 208.) Plaintiffs only statement in 11 support of sealing is that the documents "contain confidential information that are protected under 12 the parties' Agreed Protective Order." (Id. at 2.) There is a presumption of public access to 13 judicial records and documents. *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597 (1978). 14 "Reference to a stipulation or protective order that allows a party to designate certain documents 15 as confidential is not sufficient to establish that a document, or portions thereof, are sealable." 16 Civil L.R. 79-5(c). Parties' requests must be "narrowly tailored to seal only the sealable material." 17 Id. at 79-5(c)(3). Requests need to include "a specific statement" with the reasons for keeping a 18 document under seal and explain the interests warranting sealing, the injury that will result without 19 sealing, and why a less restrictive alternative is not sufficient. Id. at 79- 5(c)(1). Plaintiffs' 20 motion is DENIED. 21 Apple filed a more narrowly tailored request seeking sealing of portions of Exhibits 12, 22 13, 14, and 15, to Plaintiffs' opposition. (Dkt. No. 213.) Apple contends these documents are 23 sealable because they contain Apple's sensitive business information including discussions of 24 Apple's proprietary and confidential source code. (Dkt. No. 213-1 at ¶¶ 4, 5.) Apple has met its 25 burden of demonstrating sealing of the limited portions of these documents is appropriate and its 26 motion is GRANTED. 27 // 1 This Order disposes of Docket Nos. 198, 208, 213. 2 3 IT IS SO ORDERED. 4 Dated: April 28, 2025 5 ' ne 6 JACQUELINE SCOTT CORL 7 United States District Judge 8 9 10 ll a 12 13 14 15 16 17 Z 18 19 20 21 22 23 24 25 26 27 28