

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Kimera Labs Inc. v. Jayashankar, et al.

Kimera Labs · No. 21-cv-2137-MMA-DDL · Decided June 25, 2025

SUMMARY

The United States District Court for the Southern District of California grants Kimera Labs Inc.'s two motions to seal portions of reply briefs supporting Daubert motions. The court finds that the filings contain confidential production-process information, purported trade secrets, and financial information, and directs the Clerk to file the identified documents under seal.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Michael M. Anello
JURISDICTION	United States District Court for the Southern District of California
DECIDED	June 25, 2025
DOCKET	21-cv-2137-MMA-DDL
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed two ex parte motions to seal portions of its reply briefs supporting Daubert motions concerning defendants' expert witnesses. The court decided the motions on the papers and granted both requests.
PRECEDENTIAL VALUE	Unknown

TOPICS

- civil procedure
- commercial litigation
- trade secrets

PRACTICE AREAS

- civil procedure
- commercial litigation
- trade secrets

QUESTIONS PRESENTED

- Whether the court should apply the compelling-reasons standard to requests to seal portions of reply briefs concerning pending Daubert motions.

2. Whether the identified confidential production-process, profits, and sales information justified sealing the requested portions of the briefs.

HOLDINGS

1. For filings more than tangentially relevant to the merits of a case, a request to seal must satisfy the compelling-reasons standard; filings not meeting that threshold are subject to the good-cause standard.
2. Confidential production-process information asserted to constitute trade secrets, together with information concerning profits and sales, constitutes the type of confidential business information that may justify sealing when the public docket contains appropriately redacted versions.

KEY QUOTATIONS

“For filings more than tangentially relevant to the case’s merits, that presumption can be overcome only by a showing of a “compelling reason,” that “outweigh[s] the general history of access and the public policies favoring disclosure.”” (2)

“For filings that do not meet this “tangential relevance” threshold, the Court applies a “good cause” standard.” (2)

““Courts have held that ‘confidential business information’ in the form of ‘license agreements, financial terms, details of confidential licensing negotiations, and business strategies’ also satisfies the compelling reasons standard.”” (2-3)

FACTUAL BACKGROUND

Kimera Labs filed two motions to seal portions of its replies in support of Daubert motions concerning defendants' expert witnesses. The material sought to be sealed concerned Kimera Labs' purportedly confidential production processes, which it asserted were trade secrets, as well as profits and sales. Defendants did not oppose the motions, and publicly available redacted versions of the briefs were filed.

PROCEDURAL HISTORY

Kimera Labs moved to seal portions of two reply briefs concerning Daubert motions involving defendants' experts. Defendants did not oppose the motions, and redacted versions of the briefs were filed publicly. The court applied the compelling-reasons standard, found that the redacted material contained confidential production-process information, purported trade secrets, profits, and sales information, and granted the motions.

DISPOSITION

other

CASES CITED

- Kamakana v. City & Cnty. of Honolulu, 447 F.3d 1172, 1178-79 (9th Cir. 2006)
- Nixon v. Warner Commc’ns, Inc., 435 U.S. 589, 597-98 & n.7 (1978)
- Oliner v. Kontrabecki, 745 F.3d 1024, 1025 (9th Cir. 2014)

- United States v. Bus. of Custer Battlefield Museum & Store, 658 F.3d 1188, 1194-95 (9th Cir. 2011)
- Ctr. for Auto Safety v. Chrysler Grp., LLC, 809 F.3d 1092, 1097-1102 (9th Cir. 2016)
- Nia v. Bank of Am., N.A., No. 21-CV-1799-BAS-BGS, 2024 WL 171659, at *3 (S.D. Cal. Jan. 12, 2024)
- Pulse Elecs., Inc. v. U.D. Elec. Corp., 530 F. Supp. 3d 988, 1030-31 (S.D. Cal. 2021)
- Pulse Elecs., Inc. v. U.D. Elec. Corp., No. 2021-1856, 2022 WL 1436146 (Fed. Cir. May 6, 2022)

OPINION

Kimera Labs Inc v. Jayashankar

PER CURIAM.

1 2 3 4 5 6 7 8

9 UNITED STATES DISTRICT COURT

10 SOUTHERN DISTRICT OF CALIFORNIA

11 12 KIMERA LABS INC, Case No. 21-cv-2137-MMA-DDL 13 Plaintiff,

ORDER GRANTING MOTIONS TO

14 v. SEAL REPLY BRIEFS

15 RAJ JAYASHANKAR, et al., [Doc. Nos. 457, 462] 16 Defendants. 17 18 19 On June 23, 2025, Plaintiff Kimera Labs Inc.'s ("Plaintiff"), ex parte, filed two 20 motions to seal portions of its replies in support of its Daubert motions concerning 21 Defendants Raj Jayashankar's, Exocel Bio Inc., Alejandro (Alex) Contreras, and Deb 22 Hubers' (collectively, "Defendants") expert witnesses, Drs. Scott D. Olson and Aejaz 23 Sayeed. Doc. Nos. 457, 462. Each motion indicates that Defendants do not oppose it, 24 and a redacted version of each brief has been filed on the public docket. Doc. No. 457 at 25 2; Doc. No. 462 at 2; see Doc. Nos. 456, 460. As the Court has now ruled on several 26 such motions, by both parties, at this stage in proceedings, it will forgo a recitation of the 27 relevant background. For the following reasons, the Court GRANTS both motions to 28 seal.

1 I. LEGAL STANDARD

2 "Historically, courts have recognized a 'general right to inspect and copy public 3 records and documents, including judicial records and documents.'" Kamakana v. City & 4 Cnty. of Honolulu, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting Nixon v. Warner 5 Commc'ns, Inc., 435 U.S. 589, 597 & n.7 (1978)). This is "because court records often 6 provide important, sometimes the only, bases or explanations for a court's decision." 7 Oliner v. Kontrabecki, 745 F.3d 1024, 1025 (9th Cir. 2014) (quotation marks omitted). 8 Accordingly, when considering a request to seal, "a strong presumption in favor of 9 access" is generally a court's "starting point." United States v. Bus. of Custer Battlefield 10 Museum & Store, 658 F.3d 1188, 1194 (9th Cir. 2011) (quoting Kamakana, 447 F.3d at 11 1178). For filings more than tangentially relevant to the case's merits, that presumption 12 can be overcome only by a showing of a "compelling reason," that "outweigh[s] the 13 general history of access and the public policies favoring disclosure." Id. at 1194-95. 14 For filings that do not meet this "tangential relevance" threshold, the Court applies a 15 "good

cause” standard. See *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 16 1097–1102 (9th Cir. 2016).

17 II. DISCUSSION

18 For the same reasons discussed in its prior orders sealing documents related to the 19 pending Daubert and summary judgment motions, the Court finds that the “compelling 20 reason” standard applies to the motions to seal. See Doc. No. 454 at 3; Doc. No. 422 at 3; 21 Doc. No. 397 at 4. Generally, “‘compelling reasons’ sufficient to outweigh the public’s 22 interest in disclosure and justify sealing court records exist when such ‘court files might 23 have become a vehicle for improper purposes,’ such as the use of records to gratify 24 private spite, promote public scandal, circulate libelous statements, or release trade 25 secrets.” *Kamakana*, 447 F.3d at 1179 (quoting *Nixon*, 435 U.S. at 598). “Courts have 26 held that ‘confidential business information’ in the form of ‘license agreements, financial 27 terms, details of confidential licensing negotiations, and business strategies’ also satisfies 28 the compelling reasons standard.” *Nia v. Bank of Am., N.A.*, No. 21-CV-1799-BAS-BGS, 1 2024 WL 171659 *3 (S.D. Cal. Jan. 12, 2024). This includes confidential information 2 about business profits, expenditures, and losses. See *Pulse Elecs., Inc. v. U.D. Elec. 3 || Corp.*, 530 F. Supp. 3d 988, 1030-31 (S.D. Cal. 2021), *aff’d*, No. 2021-1856, 2022 WL 4 || 1436146 (Fed. Cir. May 6, 2022). 5 Upon review of the documents subject to the motion, the Court finds the portions 6 || that Plaintiff seeks to file under seal contain information concerning its purportedly 7 || confidential production processes—which it asserts are trade secrets—or information 8 || concerning profits and sales. Compare Doc. No. 459 at 4.4, 8 with Doc. No. 456 at 4 9 ||n.4, 8; Compare Doc. No. 460 at 4, 6 with Doc. No. 463 at 4, 6. This information, as 10 || discussed above, is of the type properly sealed. Plaintiff also filed publicly available 11 || versions of each document it seeks to seal, redacting in general only as much information 12 || as is relevant to protect the confidential information within.

13 III. CONCLUSION

14 For these reasons, the Court determines that sealing is appropriate and GRANTS 15 motions to file under seal. It further DIRECTS the Clerk of Court to file Doc. Nos. 16 and 463 under seal. 17 IT IS SO ORDERED. 18 ||Dated: June 25, 2025 Miku M- / hphlr

19 HON. MICHAEL M. ANELLO

20 United States District Judge 21 22 23 24 25 26 27 28