

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Impossible Foods Inc. v. Impossible X LLC

No. 21-cv-02419-BLF (N.D. Cal. Sept. 17, 2025) · No. 21-cv-02419-BLF · Decided September 17, 2025

SUMMARY

The United States District Court for the Northern District of California ruled on Impossible Foods Inc.’s administrative motions to seal materials related to an opposition to a motion for partial summary judgment. The court granted the motion to file under seal and granted in part and denied in part the motion concerning another party’s confidential material, applying the compelling-reasons standard. All denials were without prejudice, with refiling deadlines set for September 29, 2025.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Beth Labson Freeman
JURISDICTION	United States District Court for the Northern District of California
DECIDED	September 17, 2025
DOCKET	21-cv-02419-BLF
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed administrative motions to seal portions of its opposition to defendants' motion for partial summary judgment and related exhibits, including a motion addressing another party's confidential material.
STANDARD OF REVIEW	Motions to seal materials more than tangentially related to the merits of a case are evaluated under the compelling-reasons standard; materials only tangentially related to the merits may be sealed upon a showing of good cause. The sealing request must also comply with Civil Local Rule 79-5 and be narrowly tailored.
PRECEDENTIAL VALUE	nonprecedential district court order

TOPICS

- civil procedure
- summary judgment
- commercial litigation
- commercial

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether portions of Impossible Foods' opposition to defendants' motion for partial summary judgment and an attached exhibit should be sealed under the compelling-reasons standard.
2. Whether materials designated confidential by defendants should be sealed, and whether the requested redactions were sufficiently supported and narrowly tailored under Civil Local Rule 79-5.

HOLDINGS

1. Because the materials were more than tangentially related to the merits of the case, a party seeking to seal them had to show compelling reasons, in addition to complying with Civil Local Rule 79-5.
2. The motion to file under seal was granted because the identified portions contained confidential financial information and marketing strategies whose disclosure could cause competitive harm, and the request was narrowly tailored.
3. The motion was granted in part and denied in part: specified portions containing confidential financial, pricing, product-formula, and other commercially sensitive information were sealed, while overbroad requests and materials lacking a valid sealing basis were denied without prejudice.

KEY QUOTATIONS

“Consequently, access to motions and their attachments that are “more than tangentially related to the merits of a case” may be sealed only upon a showing of “compelling reasons.”” (at 1)

“The “compelling reasons” standard is met for confidential business information that would harm a party’s competitive standing if publicly disclosed, including materials discussing “internal business and financial decision-making strategies.”” (at 2)

FACTUAL BACKGROUND

The sealing motions concerned confidential business, financial, marketing, commercial-development, pricing, product-formula, and collaborator information contained in filings opposing defendants' motion for partial summary judgment. Impossible Foods asserted that disclosure would cause competitive harm. Defendants asserted that disclosure of their confidential commercial-development and business information could impair future commercial relationships and harm their competitive standing.

PROCEDURAL HISTORY

Impossible Foods moved to seal materials filed in connection with its opposition to defendants' motion for partial summary judgment. Defendants separately supported sealing certain materials designated as confidential. The court granted the motion to file under seal and granted in part and denied in part the motion concerning another party's material, with all denials without prejudice.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand. All denials were without prejudice. Any refiled administrative motion or declaration and narrower public versions were ordered to be filed by September 29, 2025, subject to the stated exception for a renewed sealing motion.

CASES CITED

- *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006)
- *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597 & n.7 (1978)
- *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1097, 1099-1102 (9th Cir. 2016)
- *Laatz v. Zazzle, Inc.*, No. 22-cv-04844, 2023 WL 4983670, at *2 (N.D. Cal. Aug. 3, 2023)
- *Jam Cellars, Inc. v. Wine Grp. LLC*, No. 19-cv-01878, 2020 WL 5576346, at *2 (N.D. Cal. Sept. 17, 2020)
- *Fed. Trade Comm'n v. Qualcomm Inc.*, No. 17-cv-00220, 2019 WL 95922, at *3 (N.D. Cal. Jan. 3, 2019)
- *In re Elec. Arts, Inc.*, 298 F. App'x 568, 569 (9th Cir. 2008)

OPINION

1 2 3 UNITED STATES DISTRICT COURT 4 NORTHERN DISTRICT OF CALIFORNIA 5
SAN JOSE DIVISION 6 7 IMPOSSIBLE FOODS INC., Case No. 21-cv-02419-BLF 8 Plaintiff,
ORDER REGARDING IMPOSSIBLE 9 v. FOODS INC.'S ADMINISTRATIVE MOTIONS 10
IMPOSSIBLE X LLC, et al., [Re: ECF Nos. 275, 276] 11 Defendants. 12 1. Impossible Foods
Inc.'s Administrative Motion to Consider Whether Another Party's 13 Material Should Be Sealed.

ECF No. 275. 14 2. Impossible Foods Inc.'s Administrative Motion to File Under Seal. ECF No.
276. 15 For the reasons described below, the Court rules as follows: the administrative motion at
16 ECF No. 275 is GRANTED IN PART AND DENIED IN PART, and the administrative motion
at 17 ECF No. 276 is GRANTED. 18 I. LEGAL STANDARD 19 "Historically, courts have
recognized a 'general right to inspect and copy public records 20 and documents, including
judicial records and documents.'" *Kamakana v. City & Cnty. of 21 Honolulu*, 447 F.3d 1172, 1178
(9th Cir.

2006) (quoting *Nixon v. Warner Commc'ns, Inc.*, 435 22 U.S. 589, 597 & n.7 (1978)).
Consequently, access to motions and their attachments that are 23 "more than tangentially related
to the merits of a case" may be sealed only upon a showing of 24 "compelling reasons" for
sealing. *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 25 1101-02 (9th Cir.

2016). Filings that are only tangentially related to the merits may be sealed 26 upon a lesser
showing of "good cause." *Id.* at 1097. 27 In addition, in this district, all parties requesting sealing
must comply with Civil Local 1 Rule 79-5. That rule requires, inter alia, the moving party to

provide “the reasons for keeping a 2 document under seal, including an explanation of: (i) the legitimate private or public interests that 3 warrant sealing; (ii) the injury that will result if sealing is denied; and (iii) why a less restrictive 4 alternative to sealing is not sufficient.” Civ.

L.R. 79-5(c)(1). Civil Local Rule 79-5 requires the 5 moving party to provide “evidentiary support from declarations where necessary.” Civ. L.R. 79- 6 5(c)(2). And the proposed order must be “narrowly tailored to seal only the sealable material.” 7 Civ. L.R. 79-5(c)(3). 8 Further, when a party seeks to seal a document because it has been designated as 9 confidential by another party, the filing party must file an Administrative Motion to Consider 10 Whether Another Party’s Material Should be Sealed.

Civ. L.R. 79-5(f). In that case, the filing 11 party need not satisfy the requirements of subsection (c)(1). Civ. L.R. 79-5(f)(1). Instead, the 12 party who designated the material as confidential must, within seven days of the motion’s filing, 13 file a statement and/or declaration that meets the requirements of subsection (c)(1). Civ. L.R. 79- 14 5(f)(3).

A designating party’s failure to file a statement or declaration may result in the unsealing 15 of the provisionally sealed document without further notice to the designating party. Id. Any 16 party can file a response to that declaration within four days. Civ. L.R. 79-5(f)(4). 17 II. DISCUSSION 18 A. ECF No. 276 19 The Court will first address Plaintiff Impossible Foods Inc.’s (“Plaintiff” or “Impossible 20 Foods”) motion to seal portions of its Opposition to Defendants’ Motion for Partial Summary 21 Judgment and an exhibit attached thereto.

ECF No. 276. Defendants Impossible LLC and Joel 22 Runyon (collectively, “Defendants” or “ILLC”) did not submit any response. 23 Impossible Foods asserts that this information pertains to “critical business information” 24 and “financial data and marketing strategies,” the disclosure of which would “result in significant 25 harm” to Plaintiff. Id. at 2–3. Plaintiff further asserts that the disclosure of this information would 26 put it at a competitive disadvantage.

Id. at 3. 27 As the sealing request relates to an opposition to a motion for partial summary judgment, 1 Court will apply the “compelling reasons” standard. Ctr. for Auto Safety, 809 F.3d at 1099–101. 2 The Court finds that compelling reasons exist to seal the materials Impossible Foods 3 identifies.

The “compelling reasons” standard is met for confidential business information that 4 would harm a party’s competitive standing if publicly disclosed, including materials discussing 5 “internal business and financial decision-making strategies.” See Laatz v. Zazzle, Inc, No. 22-cv- 6 04844, 2023 WL 4983670, at *2 (N.D. Cal. Aug. 3, 2023); Jam Cellars, Inc. v. Wine Grp.

LLC, 7 No. 19-cv-01878, 2020 WL 5576346, at *2 (N.D. Cal. Sept. 17, 2020) (finding compelling 8 reasons for sealing “confidential business and proprietary information”); Fed. Trade Comm’n v. 9 Qualcomm Inc., No. 17-cv-00220, 2019 WL 95922, at *3 (N.D. Cal. Jan. 3, 2019) (finding 10

compelling reasons to seal “information that, if published, may harm... competitive standing and 11 divulges terms of confidential contracts, contract negotiations, or trade secrets”); *In re Elec.*

Arts, 12 Inc., 298 F. App’x 568, 569 (9th Cir. 2008) (finding sealable “business information that might 13 harm a litigant’s competitive standing”). The Court also finds that the request is narrowly tailored. 14 See Civ. L.R. 79-5(c)(3). 15 The Court’s ruling is summarized below: 16 Public ECF Document Portion(s) Requested to Seal Ruling No. / Sealed 17 ECF No. 274 / 276-2 Plaintiff’s Highlighted portions at GRANTED as containing 18 Memorandum in 13:3–5. sensitive information 19 Opposition to regarding Impossible Defendants’ Motion Foods’s financial 20 for Partial Summary information and marketing Judgment strategies, the release of 21 which could cause Impossible Foods 22 competitive harm.

23 274-7 / 276- Ex. F to Declaration Highlighted portions at GRANTED as containing 3 of Forrest 7:13– 15; 8:19-25. sensitive information 24 Flemming, III regarding Impossible (“Flemming Decl.”) Foods’s financial 25 information and marketing strategies, the release of 26 which could cause 27 Impossible Foods competitive harm. B. ECF No. 275 1 Plaintiff filed an Administrative Motion to Consider Whether Another Party’s Material 2 Should be Sealed.

ECF No. 275. Defendants filed a statement in support of sealing the materials 3 identified in Plaintiff’s motion. ECF No. 281. Plaintiff did not submit any response to 4 Defendants’ statement in support of sealing. 5 ILLC asserts that this information pertains to confidential “commercial development 6 information,” including “the identities of presently unannounced commercial collaborators.” *Id.* 7 at 2.

Defendants argue that the disclosure of these “valuable insights into its business and 8 financial decision-making strategies” would interfere with its ability to “form commercial 9 relationships with potential collaborators in the future” and otherwise harm ILLC’s competitive 10 standing. *Id.* 11 As the sealing request relates to an opposition to a motion for partial summary judgment, 12 which the Court finds is “more than tangentially related to the underlying cause[s] of action,” the 13 Court will apply the “compelling reasons” standard.

Ctr. for Auto Safety, 809 F.3d at 1099–101. 14 With the exception of materials identified below, the Court finds that Defendants have 15 established compelling reasons to seal the identified materials. The “compelling reasons” standard 16 is met for confidential business information that would harm a party’s competitive standing if 17 publicly disclosed, including materials discussing “internal business and financial decision- 18 making strategies.” See *Laatz v. Zazzle, Inc.*, No. 22-cv-04844, 2023 WL 4983670, at *2 (N.D.

19 Cal. Aug. 3, 2023); *Jam Cellars, Inc. v. Wine Grp. LLC*, No. 19-cv-01878, 2020 WL 5576346, at 20 *2 (N.D. Cal. Sept. 17, 2020) (finding compelling reasons for sealing “confidential business and 21 proprietary information”); *Fed. Trade Comm’n v. Qualcomm Inc.*, No. 17-cv-00220, 2019

WL 22 95922, at *3 (N.D. Cal. Jan. 3, 2019) (finding compelling reasons to seal “information that, if published, may harm... competitive standing and divulges terms of confidential contracts, contract negotiations, or trade secrets”); *In re Elec.*

Arts, Inc., 298 F. App’x 568, 569 (9th Cir. 25 2008) (finding sealable “business information that might harm a litigant’s competitive standing”). 26 Except where indicated below, the Court also finds that the request is narrowly tailored. See Civ. 27 L.R. 79-5(c)(3). 1 The Court’s ruling is summarized below: 2 Public ECF Document Portion(s) Requested to Seal Ruling No. / 3 Sealed ECF No. 4 274 / 275-2 Plaintiff’s Highlighted portions at DENIED as overbroad.

5 Memorandum in 3:14–15; 6:9–27; 7:10– 18; Opposition to 10:18–20; 15:5–7; 15:23– 6 Defendants’ Motion 24; 16:17; 20:9–10; 20:16– for Partial Summary 19; 20:23–24; 21:28–22:5; 7 Judgment 22:7–13; 22:19–20; 22:26– 23:3; 23:23–25. 8 274-1 / Flemming Decl. Highlighted portions at DENIED as overbroad. 9 275-3 3:25–26; 4:3–4; 4:12– 13; 4:15–16; 4:18–20; 4:21–22; 10 4:24–25.

11 274-4 / Ex. C to Flemming Entire document. GRANTED as to 412:13; 275-4 Decl. 412:16; 428:14; 463:11 as 12 containing discussions of 13 confidential financial information, the release of 14 which could cause ILLC competitive harm; DENIED 15 as to the rest of the document because 16 Defendants do not request 17 sealing. 274-5 / Ex. D to Flemming Entire document.

DENIED pursuant to ECF 18 275-5 Decl. No. 240. 19 20 274-15 / Ex. N to Flemming Entire document. DENIED because 21 275-6 Decl. Defendants do not request sealing. 22 23 274-17 / Ex. P to Flemming Entire document. DENIED pursuant to ECF 24 275-7 Decl. No. 240. 25 26 27 274-20 / Ex. S to Flemming Entire document. GRANTED as to portions of 1 275-8 Decl. document containing non- 2 public price terms and order quantities at 3; DENIED as 3 to the rest of the document because Defendants do not 4 request sealing.

274-21 / Ex. T to Flemming Entire document. GRANTED as to portions of 5 275-9 Decl. document containing non- 6 public price terms at 2, 3, 5; DENIED as to the rest of the 7 document because Defendants do not request 8 sealing. 274-22 / Ex. U to Flemming Entire document. GRANTED as to portions of 9 275-10 Decl. document containing non- 10 public price terms at 1; DENIED as to the rest of the 11 document because Defendants do not request 12 sealing.

13 274-23 / Ex. V to Flemming Entire document. GRANTED as to the 275-11 Decl. redacted portions of 14 document containing non- public product formula 15 information and non-public pricing information at 4, 6– 16 8, 10 at ECF No. 281-1; 17 DENIED as to the rest of the document because 18 Defendants do not request sealing. 19 274-24 / Ex. W to Flemming Entire document.

DENIED because 275-12 Decl. Defendants do not request 20 sealing. 21 22 274-25 / Ex. X to Flemming Entire document. GRANTED as containing 275-13 Decl. confidential financial 23 information, the release of which could cause ILLC 24 competitive harm. 25 274-26 / Ex. Y to

Flemming Entire document. GRANTED as containing 275-14 Decl. confidential financial 26 information, the release of which could cause ILIC 27 competitive harm.

II. ORDER For the foregoing reasons, IT IS HEREBY ORDERED that: 2 1. The motion at ECF No. 275 is GRANTED IN PART AND DENIED IN PART. 3 2. The motion at ECF No. 276 is GRANTED. 4 All denials are WITHOUT PREJUDICE. Any refiled administrative motion or declaration 5 SHALL be filed no later than September 29, 2025.

The parties SHALL refile public versions of 6 each filing where the redactions and sealing granted by the Court are narrower than what was 7 redacted in the current public versions by September 29, 2025, unless they are filing a renewed 8 sealing motion for any document in that filing. 9 10 IT IS SO ORDERED. 11 12 Dated: September 17, 2025 13 >; hihi CCW 14 BETH LABSON FREEMAN United States District Judge 16 = 17 Z 18 19 20 21 22 23 24 25 26 27 28