

UNITED STATES COURT OF APPEAL  
FOR THE NINTH CIRCUITDISNEY ENTERPRISES, INC.,  
LUCASFILM LTD. LLC,  
TWENTIETH CENTURY FOX FILM  
CORPORATION, AND WARNER  
BROS. ENTERTAINMENT INC.,

Plaintiffs-Appellees,

v.

VIDANGEL, INC.,

Defendant-Appellant.

No. 16-56843

**MOTION TO FILE ANSWERING  
BRIEF AND SUPPLEMENTAL  
EXCERPTS OF RECORD VOLUME  
3 UNDER SEAL**

Pursuant to Interim Circuit Rule 27-13(e), Plaintiffs-Appellees Disney Enterprises, Inc., Lucasfilm Ltd. LLC, Twentieth Century Fox Film Corporation, and Warner Bros. Entertainment Inc. (“Plaintiffs-Appellees”) hereby move to seal portions of the contemporaneously filed Appellees’ Answer Brief (“Brief”) and Supplemental Excerpts of Record. Pursuant to Interim Circuit Rule 27-13(c), Plaintiffs-Appellees submit the portions of the Supplemental Excerpts of Record proposed to be filed under seal as a separate volume that contains only those unredacted documents proposed to be filed under seal. The redacted versions of both the Brief and the Supplemental Excerpts of Record will simultaneously be filed publicly.

The text of the Brief and documents included in the Supplemental Excerpts of Record Volume 3 are district court docket entries, all of which contain

references to business information that VidAngel has certified would cause it irreparable harm if disclosed publicly. The relevant documents and information were ordered sealed by the district court. Pages 1225-42, 1270-89 and 1464-1518 of the Supplemental Excerpts of Record Volume 3, which Plaintiffs-Appellees filed in support of their Opposition To VidAngel, Inc.'s Emergency Motion Under Circuit Rule 27-3 For A Stay Pending Appeal, were previously ordered sealed by this Court (Dkt. 41).

Plaintiffs-Appellees take no position on whether the materials that are the subject of this request merit filing under seal. Plaintiffs-Appellees make this request based on VidAngel's designations of the documents and information under the protective order and this Court's and the district court's prior orders.

Plaintiffs-Appellees therefore respectfully request that the unredacted Brief and documents filed within the Supplemental Excerpts of Record Volume 3 be filed under seal.

Dated: February 8, 2017

Respectfully submitted,

*s/ Donald B. Verrilli, Jr.*

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**UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**

**CERTIFICATE OF SERVICE  
SEALED DOCUMENTS  
INTERIM CIRCUIT RULE 27-13**

**Case Number:** 16-56843

**Case Title:** Disney Enterprises, Inc., et al. v. VidAngel, Inc.

**Note:** Documents to be filed under seal are to be submitted electronically. As the parties will not have online access to those documents once they are submitted, the CM/ECF electronic notice of filing will not act to cause service of those documents under FRAP 25(c)(2) and Ninth Circuit Rule 25-5(f). Interim Circuit Rule 27-13(c) therefore requires an alternative method of serving the motion or notice to seal and the materials to be sealed.

I certify that I have provided a paper copy of the document(s) listed below to all other parties via personal service, mail, or third-party commercial carrier on the date noted below. *See* FRAP 25(c)(1)(A) – (C).

I certify that, having obtained prior consent, I have provided a copy of the document(s) listed below to all other parties via electronic mail. *See* FRAP 25(c)(1)(D); Interim Circuit Rule 27-13(c).

**DESCRIPTION OF DOCUMENTS:**

Motion to File Answering Brief and Supplemental Excerpts of Record Volume 3 Under Seal  
Appellees' Answering Brief Under Seal  
Supplemental Excerpts of Record Volume 3 Under Seal

**Signature:** s/ Donald B. Verrilli, Jr.

(use "s/" format with typed name)

**Date:** February 8, 2017

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