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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

PHIGENIX, INC.,  
Plaintiff,  
v.  
GENENTECH INC,  
Defendant.

Case No. [15-cv-01238-BLF](#)

**ORDER GRANTING GENENTECH,  
INC.’S ADMINISTRATIVE MOTION  
TO FILE UNDER SEAL**

[Re: ECF 197]

Before the Court is Genentech’s administrative motion to file under seal Exhibit P to their Motion for Rule 11 sanctions. ECF 197. For the reasons stated below, the motions is GRANTED.

**I. LEGAL STANDARD**

“Historically, courts have recognized a ‘general right to inspect and copy public records and documents, including judicial records and documents.’” *Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597 & n.7 (1978)). 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” for sealing. *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1101–02 (9th Cir. 2016). Filings that are only tangentially related to the merits may be sealed upon a lesser showing of “good cause.” *Id.* at 1097.

In addition, sealing motions filed in this district must be “narrowly tailored to seek sealing only of sealable material.” Civil L.R. 79-5(b). A party moving to seal a document in whole or in part must file a declaration establishing that the identified material is “sealable.” Civ. L.R. 79-5(d)(1)(A). “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

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sealable.” *Id.*

**II. DISCUSSION**

The Court has reviewed Genentech’s sealing motion and declaration in support thereof. The Court finds Genentech has articulated compelling reasons to seal Exhibit P. The proposed redactions are also narrowly tailored. The Court’s ruling on the sealing request is set forth in the table below:

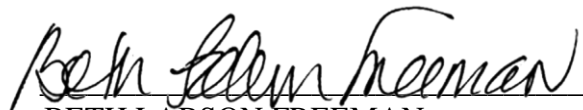
<b>Identification of Documents to be Sealed</b>	<b>Description of Documents</b>	<b>Court’s Order</b>
Exhibit P	Presentation by non-party ChemPartner LifeScience entitled “ADC Capability in ChemPartner,” that contains confidential business information related to ChemPartner’s manufacturing capabilities and processes related to the production of immunoconjugates	GRANTED

**III. ORDER**

For the foregoing reasons, the sealing motion at ECF 197 is GRANTED.

**IT IS SO ORDERED.**

Dated: August 17, 2016

  
BETH LABSON FREEMAN  
United States District Judge