

November 22, 2024

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Honorable Lorna G. Schofield
U.S. District Court Judge
Southern District of New York
40 Foley Square, New York, NY 10007

Via ECF

**Re: *Vinci Brands LLC v. Kate Spade LLC et al.*, 1:23-cv-05138-LGS-VF –
Letter Motion to Seal**

Dear Judge Schofield:

Pursuant to Your Honor’s Individual Rule I.D.3, Coach Services, Inc., Kate Spade LLC, and Tapestry, Inc. (“KSNY”) respectfully request Your Honor’s approval to provisionally seal portions of KSNY’s memorandum of law in support of its motion to dismiss the Third Amended Complaint (“TAC”) of Vinci Brands LLC (“Vinci”).

In ruling on a motion to seal, the Court must consider “the privacy interests of those resisting disclosure.” *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 120 (2d Cir. 2006) (quoting *United States v. Amodeo*, 71 F.3d 1044, 1050 (2d Cir. 1995)). On February 7, 2024, this Court so-ordered a stipulation and confidentiality agreement (ECF 233, “Protective Order”). Pursuant to the Protective Order, parties may mark documents produced in discovery as “Confidential” and “Highly Confidential – Attorney’s Eyes Only.”

On October 10, 2024, the Court granted Vinci’s motion to permanently seal the Asset Purchase Agreement between Vinci and Onward Brands LLC, which Vinci designated “Highly Confidential – Attorney’s Eyes Only” under the Protective Order (ECF 567). Because KSNY quotes the Asset Purchase Agreement in support of its motion to dismiss the TAC, KSNY requests that portions of KSNY’s memorandum of law be provisionally sealed until Vinci has an opportunity to move to seal with respect to those portions, pursuant to the protections set forth in the Protective Order. Accordingly, KSNY has filed an unredacted copy of KSNY’s memorandum of law under seal pending further Order from the Court.

We thank the Court for its attention to this matter.

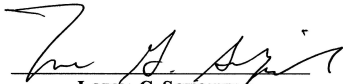
Respectfully Submitted,

/s/ Timothy R. Beyer
Timothy R. Beyer

Application **GRANTED**. The referenced memorandum of law may be filed in redacted form pursuant to the Order at Dkt. 567. The full unredacted version of the referenced memorandum of law has already been filed under seal at Dkt. No. 636.

The Clerk of Court is respectfully directed to close the motion at Dkt. No. 635.

Dated: November 25, 2024
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE