

Clement J. Naples
Direct Dial: 212.906.1311
Clement.Naples@lw.com

1271 Avenue of the Americas
New York, New York 10020-1401
Tel: +1.212.906.1200 Fax: +1.212.751.4864
www.lw.com

LATHAM & WATKINS LLP

FIRM / AFFILIATE OFFICES

Austin	Milan
Beijing	Munich
Boston	New York
Brussels	Orange County
Century City	Paris
Chicago	Riyadh
Dubai	San Diego
Düsseldorf	San Francisco
Frankfurt	Seoul
Hamburg	Shanghai
Hong Kong	Silicon Valley
Houston	Singapore
London	Tel Aviv
Los Angeles	Tokyo
Madrid	Washington, D.C.

September 22, 2023

VIA ECF

Hon. Kenneth M. Karas, U.S.D.J.
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

Re: *GlobalFoundries U.S. Inc. v. Intl. Bus. Machines Corp.*, No. 23-CV-03348-KMK-AEK
Letter Motion to Seal

Dear Judge Karas:

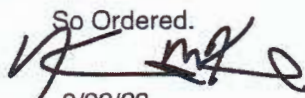
We write on behalf of Plaintiff GlobalFoundries U.S. Inc. (“GF”) to request an order authorizing: (1) the public filing of a minimally-redacted version of GF’s September 22, 2023 opposition to Defendant International Business Machines Corporation’s (“IBM”) Motion to Dismiss (the “Opposition”), and (2) the sealed filing of Exhibit C thereto.

On May 11, 2023, the Court granted GF’s application to permanently maintain the sealed, unredacted Complaint that was originally filed in Case No. 23-MC-111.¹ (ECF No. 37.) The minimal redactions in GF’s Opposition quote the sealed parts of that Complaint or the terms of the parties’ confidential agreements that formed the basis of GF’s initial sealing request, which the Court granted in Order No. 37. Exhibit C is a copy of one of the parties’ confidential agreements, and it contains the parties’ confidential business information.

We thank the Court for its consideration.

Granted.

Respectfully submitted,

So Ordered.

9/22/23

/s/ Clement J. Naples
Clement J. Naples

cc: All counsel of record (via ECF)

¹ GF incorporates by reference all arguments made in its motion to permanently seal the Complaint. ECF No. 26.