

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-509-D

SYNGENTA CROP PROTECTION, LLC,)
)
Plaintiff,)
)
v.)
)
ATTICUS, LLC,)
)
Defendant.)

ORDER

This matter is before the court on the parties’ motions to seal portions of the court’s September 15, 2021, order disposing of various discovery motions. The parties seek to seal the order on the grounds it contains confidential business and technical information, including information concerning the identity of a third-party manufacturer of azoxystrobin and its business relationship with Defendant, non-public legal matters, and Plaintiff’s strategies on generic competition, its patent portfolio, and evaluating potential illegal azoxystrobin products and potential infringement of and enforcement of its intellectual property (Pl.’s Mot. Seal [DE #361] at 1; Def.’s Mot. Seal [DE #369] at 1-2.) The parties have filed proposed redacted versions of the order, omitting the portions each contends should not be available to the public.

For the reasons set forth in the parties’ motions and supporting memoranda, the court finds that the public’s common law right of access is outweighed by the interests of the parties and third-party manufacturers in protecting against competitive and/or financial harm were such information made public. *In re Knight*

Publ'g Co., 743 F.2d 231 (4th Cir. 1984). Public notice of the parties' requests to seal and a reasonable opportunity to object have been provided by the filing of their motions, and no objections have been filed with the court. Moreover, the parties have narrowly tailored their requests to remove only information that is sensitive and confidential and not otherwise publicly known. Accordingly, the motions to seal are allowed.

CONCLUSION

For the foregoing reasons, the court GRANTS Plaintiff's Motion to Seal [DE #361] and Defendant's motion to seal [DE #369]. The order entered by the court on September 15, 2021 [DE #356] and Defendant's proposed redacted version thereof [DE #370] shall be SEALED. A redacted version of the order is available to the public on the court's docket at DE #362-3.

This 11th day of January 2022.


KIMBERLY A. SWANK
United States Magistrate Judge