1 2 3 4 5 6 7	JOSHUA A. BASKIN, State Bar No. 294971 THOMAS R. WAKEFIELD, State Bar No. 3302 WILSON SONSINI GOODRICH & ROSATI Professional Corporation One Market Plaza Spear Tower, Suite 3300 San Francisco, CA 94105-1126 Telephone: (415) 947-2000 Facsimile: (866) 974-7329 Email: jbaskin@wsgr.com Email: twakefield@wsgr.com Attorney for Defendant SUBSTACK, INC.	ELECTRONICALLY FILED Superior Court of California, County of San Francisco 11/27/2024 Clerk of the Court BY: SANDRA SCHIRO Deputy Clerk
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9	SUPERIOR COURT OF THE STATE OF CALIFORNIA	
10	COUNTY OF SAN FRANCISCO	
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12	JOHN DOE, an individual,) CASE NO.: CGC-24-618681
13	Plaintiff,	DEFENDANTS' MOTION TO FILE PORTIONS OF DEFENDANTS'
14	v.) OPPOSITION UNDER SEAL;) MEMORANDUM OF POINTS AND
15	SUBSTACK, INC., a Delaware corporation; AMAZON WEB SERVICES, INC., a) AUTHORITIES IN SUPPORT) THEREOF
16	Delaware corporation; JACK POULSON, an individual; TECH INQUIRY, INC., a) Date: December 23, 2024
17	Delaware corporation; DOES 1-25, inclusive,) Time: 9:30a.m.) Dept: 302
18	Defendants.) Before: Hon. Richard B. Ulmer, Jr.
19) Action Filed: November 27, 2024
20) Trial Date: None Set
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DEFENDANTS' MOTION TO FILE PORTIONS OF OPPOSITION UNDER SEAL

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on December 23, 2024 at 9:30a.m. at Department 302 Defendants will and hereby do move the Court pursuant to California Rules of Court 2.550 and 2.551 to issue an order sealing the Declaration of Joshua A. Baskin in support of Defendant's Opposition ("Declaration") and the exhibits filed therewith ("Exhibits"), which have been lodged conditionally under seal.

Defendants file this Motion out of an abundance of caution. Defendants do not themselves believe any of the materials should be sealed. However, Plaintiff might believe that good cause exists for granting this Motion to Seal. *See* Declaration of Joshua A. Baskin, filed herewith.

This Motion is based on the accompanying Memorandum of Points and Authorities, the Declaration, the papers and records on file in this action, and such further evidence or argument as may be submitted at or before the time of the hearing.

Dated: November 27, 2024

WILSON SONSINI GOODRICH & ROSATI Professional Corporation

By: /s/ Joshua A. Baskin Joshua A. Baskin E-mail: jbaskin@wsgr.com

Attorney for Defendant Substack, Inc.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

On November 27, 2024, Defendants will file their opposition to Plaintiff's Motion Seeking to File Under a Fictitious Name. As Plaintiff may believe that certain information in the Opposition and supporting materials thereto should be filed under seal, out of an abundance of caution, Defendants move to seal the Declaration of Joshua A. Baskin in support thereof, and the Exhibits attached thereto. Defendants make this motion to allow Plaintiff the opportunity to seek to seal this information, and provide sufficient justification under the rules to do so.

II. ARGUMENT

The Court may order a document to be sealed if the Court finds facts that establish: "(1) [t]here exists an overriding interest that overcomes the right of public access to the record; (2) [t]he overriding interest supports sealing the record; (3) [a] substantial probability exists that the overriding interest will be prejudiced if the record is not sealed; (4) [t]he proposed sealing is narrowly tailored; and (5) [n]o less restrictive means exist to achieve the overriding interest." Cal. R. Ct. 2.550(d).

Here, Plaintiff may contend that certain of the information in the Declaration and the Exhibits is subject to sealing under this standard. Therefore, Defendants file this motion to seal to allow Plaintiff to the opportunity to justify sealing of the information, if he so wishes.

III. CONCLUSION

For the foregoing reasons, Defendants file this motion to seal.

22 Dated: November 27. 2024

WILSON SONSINI GOODRICH & ROSATI Professional Corporation

By: <u>/s/ Joshua A. Baskin</u> Joshua A. Baskin

Attorney for Defendant Substack, Inc.