

1 Katherine J. Ellena (SBN 324160)
kellena@reedsmith.com
2 Gerardo V. Gorospe IV (SBN 352854)
vgorospe@reedsmith.com
3 REED SMITH LLP
515 South Flower Street, Suite 4300
4 Los Angeles, CA 90071-1514
Telephone: +1 213 457 8000
5 Facsimile: +1 213 457 8080

6 Michael B. Galibois (*pro hac vice*)
mgalibois@reedsmith.com
7 Emily Graue (*pro hac vice*)
egraue@reedsmith.com
8 REED SMITH LLP
10 South Wacker Drive, 40th Floor
9 Chicago, IL 60606-7507
Telephone: +1 312.207 1000
10 Facsimile: +1 312.207 6400

11 *Attorneys for Defendant,*
12 *Rokoko Electronics, et al.*

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 MATTHEW R. WALSH

16 Plaintiff,

17 vs.

18 ROKOKO ELECTRONICS, and
19 DOES 1 through 50, inclusive,

20 Defendant.
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Case No.: 2:25-cv-05340-ODW-RAO

[Assigned to Hon. Otis D. Wright, II,
Courtroom 5D]

**DEFENDANT ROKOKO
ELECTRONICS' APPLICATION TO
FILE UNDER SEAL LIMITED
EXCERPTS OF DEPOSITION
TESTIMONY IN SUPPORT OF ITS
REPLY TO PLAINTIFF'S
RESPONSE TO ORDER TO SHOW
CAUSE**

[Filed concurrently with Declaration of
Gerardo V. Gorospe; Proposed Order]

Fact Discovery Closes: August 10, 2026
Trial Date: March 9, 2027

I. APPLICATION

Pursuant to Local Rule 79-5, the Court’s current CM/ECF under-seal procedures, and the Stipulated Protective Order entered in this action (“Protective Order”) (ECF No. 149), Defendant Rokoko Electronics (“Rokoko”) respectfully applies for leave to file under seal only limited materials submitted with Rokoko’s Reply to Plaintiff Matthew R. Walsh’s (“Plaintiff,” and together with Rokoko, “Parties”) Response to the Court’s Order to Show Cause (“Response”). ECF No. 200. Specifically, Rokoko seeks leave to seal Exhibit G to the Declaration of Gerardo V. Gorospe, which consists of relevant excerpts of the rough transcript of the May 28, 2026 deposition of Mikkel Overby and the narrow portions of Rokoko’s reply brief (“Reply”) that quote, cite, or summarize that sealed testimony.

Rokoko does not seek to seal the entire Reply, the entire Gorospe Declaration, or nonconfidential exhibits submitted with that declaration. Rokoko is filing a public redacted version of its Reply and the redactions are limited to passages that quote or summarize Overby’s confidential deposition testimony that implicate third-party confidentiality obligations. This application is therefore narrowly tailored to protect only the confidential information for which sealing is necessary.

II. ARGUMENT

Courts recognize a strong presumption of public access to judicial records, and a party seeking to seal records attached to filings that are more than tangentially related to the merits must generally show compelling reasons that outweigh the public’s interest in access. *Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1178–80 (9th Cir. 2006); *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1096–1102 (9th Cir. 2016). The compelling-reasons standard may be satisfied where the material contains trade secrets such as confidential commercial information, proprietary business information, confidential licensing information, or “any formula, pattern, device, or compilation of evidence which is used in one’s business, and which gives an opportunity to obtain an advantage over competitors who do not know or use it.”

1 *Kamakana*, 447 F.3d at 1179; *see e.g., In re Elec. Arts, Inc.*, 298 F. App'x 568, 569–70
2 (9th Cir. 2008).

3 Rokoko seeks to seal Exhibit G of the Gorospe Declaration because the excerpt
4 contains testimony concerning a confidential agreement between Rokoko and a third
5 party. The testimony consists of confidential commercial and business information of
6 the type recognized by the Protective Order entered in this action (ECF No. 149) and
7 was designated by Rokoko as Confidential pursuant to the Protective Order. Public
8 disclosure would risk revealing nonpublic information about Rokoko's agreements with
9 third parties. Public disclosure would also prejudice Rokoko's relationships with
10 existing and prospective third-parties by revealing information Rokoko is contractually
11 and/or commercially obligated to keep confidential. These are particularized harms
12 supporting sealing of the limited excerpts and related Reply passages.

13 Rokoko's request is also narrowly tailored to redact only the passages that quote,
14 cite, or summarize the confidential Overby testimony lodged as Exhibit G. Rokoko's
15 public redacted Reply and the Gorospe Declaration leave visible all nonconfidential
16 arguments concerning Plaintiff's Reply, in accordance with the Protective Order's
17 requirement that documents should not be sealed in their entirety when redaction or
18 narrow filing is feasible.

19 **III. MATERIALS TO BE FILED UNDER SEAL**

20 For the foregoing reasons, Rokoko respectfully requests that the following
21 materials be filed under seal:

- 22 1. Exhibit G to the Declaration of Gerardo V. Gorospe in Support of
23 Defendant Rokoko Electronics' Reply to Plaintiff's Response to Order to Show
24 Cause.
- 25 2. Those limited passages in Rokoko's Reply that quote, cite, or summarize
26 the confidential testimony included in Exhibit G to the Declaration of Gerardo V.
27 Gorospe in Support of Defendant Rokoko Electronics' Reply to Plaintiff's
28 Response to Order to Show Cause.

1 **IV. REQUEST FOR RELIEF**

2 For the foregoing reasons, Rokoko respectfully requests that the Court grant this
3 Application and enter the concurrently submitted proposed order authorizing Rokoko
4 to file under seal Exhibit G to the Gorospe Declaration and the limited portions of
5 Rokoko's reply brief that quote, cite, or summarize the confidential Overby deposition
6 testimony.

7 If the Court concludes that any portion of the requested sealing is overbroad,
8 Rokoko respectfully requests leave to withdraw, revise, or further redact the affected
9 material before it is made publicly available.

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11 DATED: June 30, 2026

REED SMITH LLP

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13 By: /s/ Katherine J. Ellena
14 Katherine J. Ellena
15 Michael Galibois (*pro hac vice*)
16 Emily Graue (*pro hac vice*)
17 Gerardo Valentino Gorospe IV

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19 *Attorneys for Defendant*
20 *Rokoko Electronics*
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