UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS, UNITED STATES DEPARTMENT OF LABOR, Plaintiff, v. ORACLE AMERICA, INC., Defendant.	OALJ Case No. 2017-OFC-00006 OFCCP No. R00192699 **ADDITIONAL MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANT ORACLE AMERICA, INC.'S OMNIBUS MOTION TO SEAL HEARING EXHIBITS**

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I. INTRODUCTION

In its March 17, 2020 Order, this Court posed two questions as to five exhibits: J-15, J-23, P-46, D-17, and D-40. The questions posed are (1) whether the redacted information contained in the exhibits has been or will be publicly disclosed, and (2) whether the redacted information contained in the exhibits is "commercial" within the meaning of Freedom of Information Act ("FOIA") Exemption 4.

Answer to Question One: The information contained in the exhibits identified by the Court has not been publicly disclosed. In addition, the information contained in the exhibits will not be disclosed as a result of the Order in *CIR v. DOL*, 4:19-cv-01843-KAW, 2019 WL 6716352 (N.D. Cal. Dec. 10, 2019) ("*CIR* Order"). The *CIR* Order pertains to a different set of documents containing different information.

Answer to Question Two: The information contained in four of the exhibits—J-15, J-23, P-46, and D-40—is "commercial" within the meaning of Exemption 4.[1] *First*, they contain information specific to Oracle's Headquarters ("HQCA") and another specific site, Roseville.[2] This distinguishes these exhibits from the documents at issue in *CIR*, which reflect company-wide aggregated information. *See* 2019 WL 6716352 at *4-6.

Were this type of information not protected, Oracle's competitors would have access to information by Oracle location and could determine what locations Oracle is prioritizing, the type of hires by each location, and the category of hires over time providing insight into what Oracle is seeking to accomplish commercially.

Second, unlike the documents at issue in *CIR*, Exhibits J-15, J-23 and P-46[3] categorize employees by job title. They do not merely place employees company-wide into broad categories such as "Professionals" as the documents did in *CIR*. *Compare* 2019 WL 6716352 at *4-5. This is a critical distinction recognized in *CIR*. *See generally* 2019 WL 6716352 at *4-6.

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[1] Oracle withdraws its request to redact portions of Exhibit D-17.
[2] As is explained in this Motion, the Roseville information was inadvertently provided to OFCCP during its audit of HQCA. The arguments that apply to the information relating to HQCA apply equally to the Roseville information.
[3] J-15 and P-46 are the same document except that J-15 contains a cover email.

The *CIR* Court ruled as it did, at least in part, because "the report does not provide information regarding the distribution of employees within divisions, departments, segments or 'teams'." 2019 WL 6716352 at *5. In contrast, the four exhibits, because they are specific to Oracle's headquarters and because they contain more than broad categories of information essentially "explain how resources are allocated across [Oracle's] segments." *Id.* at *4.

Third, J-15, J-23 and P-46 include information relating to salary, something not at issue in *CIR*. The salaries paid by Oracle are commercial and not subject to disclosure.

Fourth, and relatedly, Exhibits J-15 and P-46 have been the subject of a Motion to Seal in this case. This Court previously found the same 2014 AAP Workforce Analysis data in Exhibits J-15 and P-46 to be "commercial/financial in nature since it concerns the composition of Oracle's workforce" and ultimately "exempt from disclosure under Exemption 4." *See* Order Granting Motion to Seal, August 9, 2019, at 4, 6. Nothing in *CIR* supports a different conclusion.

Additional Consideration: The disclosure of the data contained in Exhibits J-15, J-23, and P-46 would be an intrusive and unwarranted invasion of privacy insofar as it reveals individual employees' confidential self-identification information. Because the exhibits are specific to Oracle Headquarters, the numbers in the various categories are often small enough to allow the identification of employees. *See generally* Exs. J-15, J-23, and P-46.

For these reasons, the Court should seal Exhibits J-15, J-23, P-46, and D-40 as both OFCCP and Oracle agreed they should be.

II. FACTUAL BACKGROUND

A. The Data in the Exhibits at Issue Are and Will Remain Confidential.

The redactions in the four exhibits are intended to protect site-specific data that have not been disclosed by Oracle and will not be disclosed as a result of *CIR v. DOL*. Declaration of Victoria Thrasher in Support of Oracle's Additional Memorandum of Points and Authorities in Support of Oracle's Omnibus Motion to Seal, dated April 2, 2020 ("April 2020 Thrasher Decl.") ¶ 5.

CIR v. DOL involves a FOIA request for different information, specifically, company-wide consolidated EEO-1 data that appear in Type 2 Reports. Unlike the company-wide consolidated data at issue in *CIR v. DOL*, the four exhibits at issue here are site-specific and provide more granular data about the employees at a specified Oracle location—in this instance Oracle's Headquarters. Thus, the *CIR* Order will not result in the disclosure of the data contained in Exhibits J-15, J-23, D-40, or P-46.

B. <u>The Exhibits in Question Contain Site-Specific Commercial Information.</u>

The site-specific data contained in the four exhibits provide competitively significant information about Oracle's workforce, including a detailed accounting of the number of Oracle employees in specific departments and job titles, and the corresponding salary codes for those job titles. April 2020 Thrasher Decl. ¶ 6; *see also* Declaration of Victoria Thrasher in Support of Oracle's Motion to Seal Portions of Plaintiff's Motion to Compel Oracle's Compensation Analyses, dated July 1, 2019 ("July 2019 Thrasher Decl.") ¶ 6. They reflect commercially valuable and confidential information about Oracle's organizational structure, such as Oracle's strategic decisions regarding how many people it needs in various roles to effectively create, test, and sell its products, how many people it needs to support or manage its workforce, and how many people it should devote to marketing, finance, and legal operations. April 2020 Thrasher Decl. ¶ 9; *see also* July 2019 Thrasher Decl. ¶ 6; Declaration of Victoria Thrasher in Support of Oracle's Omnibus Motion to Seal Hearing Exhibits, dated February 6, 2020 ("Feb. 2020 Thrasher Decl.") ¶ 4.

1. <u>Exhibit D-40: EEO-1 Data, VETS-100A, Progress Towards Goals.</u>

As part of its federal reporting obligations, Oracle annually files EEO-1 Reports with the federal government. April 2020 Thrasher Decl. ¶ 6.a.i. These reports include: (1) Type 2 reports that provide the total number of employees across all of Oracle's establishments by race/ethnicity, gender, and general job categories; (2) Type 3 reports that provide race/ethnicity, gender, and job category information specific to Oracle's headquarters; and (4) Type 4 reports that include the specific data for other sites with 50 or more employees. *See* Declaration of

James Stanley in Support of Oracle's Additional Memorandum of Points and Authorities in Support of Oracle's Omnibus Motion to Seal, dated April 2, 2020 ("Stanley Decl."), ¶ 3, Ex. A, U.S. EEOC, Fact Sheet for EEO-1 Survey Filers ("Fact Sheet"), at 1, https://www.eeoc.gov/employers/eeo1survey/fact_sheet_filers.cfm (last visited Mar. 26, 2020).

The reports at issue in *CIR v. DOL* are Type 2 reports where "the information sought is general job categories and the data provided is companywide." 2019 WL 6716352 at *5. The report contained in Exhibit D-40 is a Type 3 report that is specific to Oracle's Headquarters and contains two years of data (2013 and 2014). The data reveal the site-specific composition of Oracle's workforce at HQCA, broken down into ten enumerated job categories. Ex. D-40.

Oracle's federal reporting obligations also include preparation of the Federal Contractor Veteran's Employment Report ("VETS-100A"). Like the EEO-1 report, this site-specific report includes the same ten enumerated categories included on the EEO-1 reports and identifies the Total Employees in each category. Ex. D-40, at 5-7. However, instead of identifying females and minorities, this report tallies the number of protected veterans in each category. *Id.* This report also includes the total number of employees and veterans hired into each category over the preceding year, as well as the minimum and maximum number of employees at HQCA during each reporting year (2012, 2013, and 2014). *Id.*

Finally, Exhibit D-40 contains data that Oracle prepares to assess the relative labor pool and its progress towards diversity recruiting goals. Ex. D-40 at 8-12. This document reflects job groups for which Oracle has established a recruiting goal. It includes the total number of employees within a job group, how many employees Oracle has hired into a job group, and Oracle's progress towards its internal goals. *Id.*

2. <u>Exhibits J-15, P-46, and J-23: Workforce and Job Group Analyses.</u>

As part of its federal reporting obligations, Oracle prepares various analyses for each of its Affirmative Action Plan ("AAP") locations. The relevant portions of Exhibits J-15 and P-46 are duplicative of one another and contain the Workforce Analysis, Job Group Analysis, Incumbency vs. Availability Analysis, and Placement Goals Analysis that Oracle prepared for

HQCA as part of its 2014 AAP. The data contained in these analyses are more granular and detailed than the site-specific EEO-1 data contained in Exhibit D-40, as the Workforce Analysis provides the distribution of employees within each Department at HQCA, and then goes on to further specify the subtotals of employees by job title in the following categories: Total Employees, Minorities, Males, Females, Black, Asian, Native American, Hispanic, Pacific Islander, and Two or More. *See* Ex. J-15 at 19-152; Ex. P-46 at 18-151. The Workforce Analysis also includes the salary code for each job title. *See* Ex. J-15 at 19-152; Ex. P-46 at 18-151. Despite the size of Oracle's workforce at its HQCA location, hundreds of job titles are held by a single employee, who is then identified by race/ethnicity and gender. *See* Ex. J-15 at 19-152; Ex. P-46 at 18-151. The Incumbency vs. Availability Analysis and Placement Goals Analysis track Oracle's recruiting efforts to create a more diverse workforce, providing both the percentages of women and minority employees at Oracle and Oracle's progress toward meeting its internal goals. *See* Ex. J-15 at 184-99; Ex. P-46 at 183-98.

The Job Group Analyses, such as those included in Exhibit J-23 and the ones that follow the Workforce Analysis in Exhibits J-15 and P-46, sort site-specific data by AAP Job Group (e.g., PT1, PT2). *See* Ex. J-15 at 153-83; Ex. J-23 at 2-20; Ex. P-46 at 152-82. Like the Workforce Analysis, these analyses include total number of employees for each Job Group, including sub-totals for each individual job title in the following categories: Total Employees (by both number of Persons and as a Percent of that Job Group), Female, Minority, Black, Asian, Native American, Hispanic, Pacific Islander, Two or More. *See* Ex. J-23. Moreover, the Job Group Analysis contained within Exhibit J-23 is a site-specific analysis for Oracle's Roseville, California location that was inadvertently provided to OFCCP during the HQCA audit. It is not relevant to this action and sealing that site-specific information is justified for the reasons given in this Motion.

C. **Oracle Will Suffer Commercial Harm if Its Site-Specific Confidential Commercial Data Is Not Sealed.**

Exhibits J-16, J-23, D-40, and P-46 contain confidential, proprietary information that, if publicly disclosed, would damage Oracle's competitive standing and give Oracle's competitors an unfair advantage. The data convey more than just the number of employees in each job title and those employees' salary codes; it communicates Oracle's experience and expertise in the field of how to structure the workforce to have a well-run, profitable, and efficient technology company. April 2020 Thrasher Decl. ¶ 10; July 2019 Thrasher Decl. ¶ 7. Because the data in any given year's report also show the change in staffing levels from the previous year, disclosure would further reveal Oracle's business goals, commercial strategies, the number of employees retained through corporate mergers and acquisitions. April 2020 Thrasher Decl. ¶ 13. With this guide, Oracle's competitors can easily consider the job titles in the context of the hardware and software industries and gain a detailed picture of the composition of Oracle's workforce. *Id.*

The way that Oracle organizes its workforce is a direct result of its substantial effort and innovation in devising ways to make the company run effectively in rapidly evolving economic times, and the organizational structure of Oracle's workforce is an important part of its entirely private plans to maintain competitiveness in the industry. April 2020 Thrasher Decl. ¶ 12; July 2019 Thrasher Decl. ¶ 8. It took Oracle many years at great expense to refine the proper balance of its workforce in response to market conditions and customer feedback. April 2020 Thrasher Decl. ¶ 12. Because releasing this information would allow competitors to deduce various aspects of Oracle's business strategy, Oracle has never disclosed this information publicly. *Id.* Given the size, constituency, and competitive nature of Oracle's market, as well as the constituency of its own workforce, there is a very real threat to Oracle's competitive position created by disclosure of information regarding the composition of its workforce. *Id.*

It does not strain logic to surmise that the public release of data for a single site-specific location may be used by competitors and entities like the plaintiffs in *CIR v. DOL* to seek disclosure of such information for every Oracle location. Were that to happen, the complete composition of Oracle's entire U.S. workforce could become known to its competitors—not just

in a company-wide compilation like the Type 2 Reports at issue in *CIR v. DOL*, but in a form that provides a detailed breakdown of Oracle's workforce at each location, thereby revealing Oracle's business strategies and priorities. *Id.* ¶ 6.a.i.

Allowing Oracle's competitors to grow and restructure with the aid of this data would give them a competitive advantage by allowing them to use that information without incurring any of the costs that Oracle bore in developing such practices. April 2020 Thrasher Decl. ¶ 13; July 2019 Thrasher Decl. ¶ 9. Oracle is a highly visible technology company in the very competitive computer hardware and software industries. April 2020 Thrasher Decl. ¶ 13. Because these industries are constantly and quickly evolving, and the competition among the companies is fierce, any advantage that Oracle's competitors gain can potentially have a large effect in the competitive position of industry peers and may have a very significant and detrimental impact on Oracle's business. *Id.*

D. <u>The Exhibits in Question Implicate the Privacy Rights of Individuals.</u>

Oracle does not require its employees to self-report the race and gender information contained in its AAP. April 2020 Thrasher Decl. ¶ 17; July 2019 Thrasher Decl. ¶ 13. Instead, each employee is afforded an opportunity to voluntarily self-report his or her race and gender. April 2020 Thrasher Decl. ¶ 17. In collecting this information, Oracle assures each employee that it will maintain as confidential an employee's race and gender and will use it only in accordance with applicable government regulations. *Id.* Accordingly, Oracle's employees provide this information under the expectation of confidentiality.

Because Exhibits J-15, J-23, and P-46 contain such granular detailed data, their unredacted disclosure risks revealing the sensitive personal information of individual employees, who might otherwise expect and prefer that their self-identification in one or more of these categories remain private. *Id.* ¶ 18. As noted above, many job titles in Exhibits J-15 and P-46 are held by only a single employee, who is then associated with a particular salary code and identified by race and gender. *See* Exs. J-15, P-46; *see also* April 2020 Thrasher Decl. ¶ 18. Exhibit J-23 also contains multiple job titles that are held by a single employee. In all three

exhibits, there are entire departments or job groups that contain only one employee. *See, e.g.*, Ex. J-15 at 29; Ex. P-46 at 28, J-23 at 3. When combined with already available sources such as LinkedIn, this information can convey not only confidential commercial information about the structure of Oracle's HQCA workforce but the sensitive, personal information of individual employees as well. April 2020 Thrasher Decl. ¶ 18; July 2019 Thrasher Decl. ¶ 14. Protecting its relationship with employees is one of the reasons Oracle can retain and recruit talented employees and damaging that relationship could cause Oracle substantial competitive harm by making these employees fertile targets for recruiting by its competitors. April 2020 Thrasher Decl. ¶ 19; July 2019 Thrasher Decl. ¶ 15.

III. ARGUMENT

A. The Exhibits at Issue Contain Confidential Information That Is Sealable Under FOIA Exemption 4.

For the purposes of FOIA Exemption 4, "information communicated to another remains confidential whenever it is customarily kept private, or at least closely held, by the person imparting it." *Food Mktg. Inst. v. Argus Leader Media*, 139 S. Ct. 2356, 2363 (2019). Moreover, the information was provided with an assurance that it would remain confidential.[4]

Oracle keeps the redacted data in the exhibits at issue confidential. The data contained in these exhibits are collected from employees under assurances of confidentiality and are kept highly confidential within the company. *See* April 2020 Thrasher Decl. ¶¶ 4, 5, 17; July 2019 Thrasher Decl. ¶ 13. Second, when Oracle first produced the information to the government, the government committed to protect the information to the extent required by law. April 2020 Thrasher Decl. ¶ 8. And Oracle received further assurances of confidentiality in the form of the Protective Order in this case. *See* Stanley Decl. ¶ 2; Order Re: Motions to Seal and Hearing Confidentiality, Dec. 4, 2019, at 5-6.

The *CIR* Order does not impact this analysis. While the *CIR* Court was "not convinced" that the information at issue in that case was kept confidential, it based its observation on the fact

[4] Whether or not an assurance of confidentiality is required is a matter discussed, but not resolved, in *Argus*. 139 S. Ct. at 2363, 2366. Nonetheless, this too is satisfied.

that one of the companies had published a summary of its EEO-1 Type 2 data in an annual report. *See CIR v. DOL*, 2019 WL 6716352, at *6. That company was *not* Oracle, and Oracle has made no such disclosure here. *See id.* Moreover, as noted, the information at issue here is not the same type of information found in an EEO-1 Type 2 report. Another company's disclosure of information different than the information at issue here is therefore not relevant. Accordingly, the data in the exhibits should be deemed confidential for FOIA 4 purposes.

B. **The Exhibits at Issue Contain Commercial Information That Is Sealable Under FOIA Exemption 4.**

For purposes of determining whether a FOIA Exemption 4 applies, "the terms 'commercial' and 'financial' in the exemption should be given their ordinary meanings." *Pub. Citizen Health Research Grp. v. FDA*, 704 F.2d 1280, 1290 (D.C. Cir. 1983); *accord Watkins v. U.S. Bureau of Customs & Border Prot.*, 643 F.3d 1189, 1194 (9th Cir. 2011) (citing *id.*); *see also Argus*, 139 S. Ct. at 2362 (looking to the "ordinary, contemporary, common meaning" of "confidential" and "other undefined terms in FOIA"). The ordinary, contemporary meaning of "commercial" is "[r]elating to or connected with trade and traffic or commerce in general." Black's Law Dictionary, Commercial (4th ed. 1957); *accord* Webster's Third New International Dictionary, Commercial (1961).

In applying this common, plain language understanding to Exemption 4 records, courts have explained that information is commercial in nature "when the provider of the information has a commercial interest in the information submitted to the agency." *Baker & Hostetler LLP v. U.S. Dep't of Commerce*, 473 F.3d 312, 319 (D.C. Cir. 2006). This definition is "not confined only to records that 'reveal basic commercial operations … or relate to the income-producing aspects of a business.'" *Id.* (*quoting Pub. Citizen Health*, 704 F.2d at 1290). To the contrary, "[t]he exemption reaches much more broadly," *id.*, and "[i]nformation that is 'instrumental' to a commercial interest is sufficiently commercial for the purposes of Exemption 4." *100Reporters LLC v. United States Dep't of Justice*, 248 F. Supp. 3d 115, 147 (D.D.C. 2017).

This broad definition of commercial information has been found to cover, *inter alia*, "the number of [company] employees in each country" as well as documents reflecting the company's "business operations [and] structure." *Id.* at 144; *see also Watkins v. U.S. Bureau of Customs & Border Prot.*, 643 F.3d 1189, 1195 (9th Cir. 2011) (information about a business' supply chain and fluctuations of demand for its products); *Baker & Hostetler*, 473 F.3d at 320 (letters describing market conditions); *Pub. Citizen Health*, 704 F.2d at 1290 (documents about health and safety experience of products).

Oracle has a commercial interest in the EEO-1 Type 3 Report (Exhibit D-40) data that it submitted to the government, which include nonpublic, site-specific information about the size, composition, and structure of Oracle's workforce at its HQCA location. *See* Ex. D-40. Oracle has a commercial interest in data revealing the number of people it employs in various job categories at HQCA, in the change in those figures year to year, and in its diversity performance; such data reveals much about Oracle's commercial operations, including its business strategies and priorities, the structure and effects of past corporate mergers, and the results of Oracle's efforts to recruit and maintain a diverse workforce. April 2020 Thrasher Decl. ¶ 13.

Similarly, Oracle has a commercial interest in the Workforce and Job Group Analyses (Exhibits J-15, J-23, and P-46), which are chock-full of granular details about Oracle's workforce structure, such as the numbers of employees in each department, the numbers of employees in each job title, the race and gender of said employees, and the salary code associated with each position. *See* Exs. J-15, J-23, and P-46; April 2020 Thrasher Decl. ¶ 9. [5]

As a tech company, Oracle's products and services primarily take the form of software and hardware, and Oracle's personnel—its designers, engineers, managers, and technicians—are key to ensuring that it remains at the cutting edge of an extremely competitive industry. April 2020 Thrasher Decl. ¶ 11. Accordingly, Oracle is constantly engaged as a consumer in the labor

[5] Oracle has a commercial interest in Exhibits D-40, J-15, J-23, and P-46, but, notably, the confidential information in these exhibits principally relates to progress towards recruiting and hiring goals—which are not at issue in this case. Accordingly, Oracle's commercial interest provides "a compelling reason" to seal these materials and outweighs the minimal public interest in these materials under the balancing test of 29 C.F.R. § 18.85. *See* Omnibus Motion to Seal at 7-8.

market; indeed, Oracle has a commercial interest in the number, location, and demographics of the employees it engages in developing its products and services. *Id.* Oracle also has an interest in maintaining a diverse workforce to ensure that there are a variety of perspectives contributing to Oracle's decision-making and to make Oracle a workplace that is welcoming to and tolerant of employees of all identities and backgrounds. *Id.* Conversely, competitors for Oracle's talent could use the exhibits at issue to monitor the composition of Oracle's workforce, to copy its diversity efforts, and/or even to target groups of diverse employees or individual employees for recruitment. *Id.*

The *CIR* Order does not change the analysis of whether the exhibits at issue contain commercial information. In finding that EEO-1 Type 2 Reports were not subject to FOIA Exemption 4, the *CIR* Court emphasized that "the [Type 2] report does not provide information regarding the distribution of employees within various divisions, departments, segments, or "teams" and, instead, only contained "general job categories and the data provided is companywide." *CIR v. DOL*, 2019 WL 6716352 at *5.

The reverse is true of the exhibits at issue here. Instead of being companywide data, the redacted information in the four exhibits at issue is all site-specific; Exhibits J-15, P-46, and D-40 are limited to HQCA only, and Exhibit J-23 also contains data from Oracle's Roseville office. For Exhibits J-15, J-23, and P-46, the data is provided not just for various departments and divisions, but by job title as well. This specific information not only paints a detailed picture of how Oracle structures its workforce, but also results—on hundreds of occasions—in race and/or gender information being provided for a single individual. *See* Ex. J-15 at 19-151, J-23 at 2-20, and P-46 at 18-150.

Finally, disclosure of the redacted information in the exhibits at issue would subject Oracle to commercial harm by revealing to its competitors useful information about Oracle's workforce, the effects of Oracle's various diversity efforts, and potential areas and individuals

who can be targeted for recruitment.[6] *See* July 2019 Thrasher Decl. at ¶¶ 9, 11-12; April 2020 Thrasher Decl. ¶ 15. Second, it would reveal to Oracle's business competitors useful information about Oracle's business strategies and priorities on a granular level by providing data for specific departments and job titles. *See* April 2020 Thrasher Decl. ¶ 6. Oracle stands to be commercially harmed in two key commercial activities: recruiting and retaining highly skilled talent and selling the products and services that its talent develops.

C. Oracle Requests a Stay of This Court's Order if It Denies Oracle's Sealing Request

Oracle requests that, in the event the Court determines that Oracle's proposed redactions to these exhibits are not exempt from disclosure under FOIA Exemption 4, that the material be provisionally sealed and/or its publication be stayed pending the resolution of Oracle's appeal of the Court's ruling.

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[6] The Court in *CIR v. DOL* appears to hold that FOIA Exemption 4 requires a showing of foreseeable harm upon disclosure pursuant to FOIA Improvement Act of 2016 ("FIA"). *See CIR v. DOL*, 2019 WL 6716352, at *6-7. Oracle notes that this decision appears to be inconsistent with *Argus*, in which the Supreme Court held that courts cannot add a commercial harm requirement to the plain language of Exemption 4. 139 S. Ct. at 2364-66; *see also Rosenberg v. U.S. Dep't of Def.*, 342 F. Supp. 3d 62, 73 n.1 (D.D.C. 2018) (holding that once material qualifies under the terms of Exemption 4, there is no need to meet a foreseeable harm requirement). Ultimately, this is of no moment because, as explained above, Oracle would suffer harm if the exhibits at issue are made public without redactions.

IV. CONCLUSION

For the foregoing reasons, Oracle respectfully requests that the Court grant Oracle's Omnibus Motion to Seal Hearing Exhibits, including Hearing Exhibits J-15, J-23, P-46, and D-40.

Respectfully submitted,

April 3, 2020

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