

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE ABBOTT LABORATORIES INFANT FORMULA SHAREHOLDER DERIVATIVE LITIGATION)) Case No. 22 CV 5513) Hon. Manish S. Shah)

MOTION FOR LEAVE TO FILE UNDER SEAL

Pursuant to Local Rule 26.2, Defendants hereby move the Court for an order granting them leave to file under seal their memorandum in support of the motion to dismiss (“Memorandum”) and certain accompanying exhibits. In support of this motion, Defendants state as follows:

1. This Court “may for good cause shown enter an order directing that one or more documents be filed under seal.” L.R. 26.2(b). Good cause exists for granting this motion. Defendants’ Memorandum contains information derived from Abbott’s internal books and records, which was (i) provided to Plaintiffs pursuant to a confidentiality agreement and (ii) marked “Confidential” in the good-faith belief that the documents therein contain confidential and/or commercially sensitive information. *See* Exs. 10, 12-13, and 15-76 (Abbott’s books-and-records production and an email describing contents of the same).

2. In compliance with Local Rule 26.2(c), Defendants provisionally filed their Memorandum and accompanying exhibits under seal today, December 18, 2023. Defendants also filed a redacted, public-record version of the Memorandum, with the aforementioned confidential exhibits excluded.

WHEREFORE, Defendants respectfully request that the Court grant this motion and enter an order permitting Defendants to file under seal their Memorandum and certain accompanying exhibits.

Dated: December 18, 2023

Respectfully submitted,

/s/ Joshua Z. Rabinovitz

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