

FILED

AUG 4 2025

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

SARAH ANOKE; et al.,

Plaintiffs - Appellees,

v.

JACOB SILVERMAN,

Intervenor - Appellee,

TWITTER, INC.; et al.,

Defendants - Appellants.

No. 24-5936

D.C. No.

3:23-cv-02217-SI

Northern District of California,

San Francisco

ORDER

Before: S.R. THOMAS and LEE, Circuit Judges, and SILVER, District Judge.\*

Defendants-Appellants (collectively, “X Corp.”) appeal a district court order granting Intervenor-Appellee Jacob Silverman’s (“Silverman”) motion to intervene and unseal X Corp.’s corporate disclosure statement. We grant Silverman’s motion to dismiss this appeal as moot (Dkt. No. 8).

Article III limits this court’s jurisdiction to live cases or controversies that the court can “effectively remedy.” *Protectmarriage.com-Yes on 8 v. Bowen*, 752 F.3d 827, 834 (9th Cir. 2014). We cannot provide an effective remedy in this case

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\* The Honorable Roslyn O. Silver, United States District Judge for the District of Arizona, sitting by designation.

because the information in X Corp.’s corporate disclosure statement has already been published widely across the internet and has been public on both the district court and Ninth Circuit dockets for months. “[A] case seeking to keep a document secret is moot once,” as is the case here, “third parties have control over copies of the document.” *Id.* (quoting *Doe No. 1 v. Reed*, 697 F.3d 1235, 1239 (9th Cir. 2012)).

Further, this appeal does not fall under the “capable of repetition, yet evading review” exception to mootness. That exception applies to “classes of cases that, absent an exception, would *always* evade judicial review.” *Id.* at 836. A party in X Corp.’s position could usually receive review by seeking a stay pending appeal of a district court’s order to unseal. Where preliminary relief is available to “ensure that a live controversy persists until the action is fully litigated,” *id.* at 836, the case is not of the type that evades review, whether or not a party “actually obtain[s] such relief,” *id.* at 837.

Given our dismissal of the appeal as moot, we vacate the order of the district court. *See United States v. Munsingwear, Inc.*, 340 U.S. 36, 39 (1950).

This order shall serve as the mandate of the Court.

**DISMISSED.**