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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Gregory Martinez, Sr., etc.; et al,

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No. CV-12-1837-PHX-LOA

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Plaintiffs,

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ORDER

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vs.

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City of Avondale, etc; et al.,

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Defendants.

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After review of Plaintiffs’ Petition to Approve Minors’ Settlement, the Court will deny Plaintiffs’ motion to seal the Petition.

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While it may be appropriate to file under seal counsel’s fee agreement due to the confidential nature of the relationship and privilege between Plaintiffs and their counsel, Plaintiffs’ motion to seal Plaintiffs’ Petition to Approve Minors’ Settlement fails to establish compelling reasons to warrant sealing the entire motion and all attachments. *See Pintos v. Pac. Creditors Ass’n*, 605 F.3d 665, 677 (9th Cir. 2010) (“Those who seek to maintain the secrecy of documents attached to dispositive motions must meet the high threshold of showing that ‘compelling reasons’ support secrecy. A “good cause” showing under Rule 26(c) will suffice to keep sealed records attached to non-dispositive motions.”); *In Re Copley Press, Inc.*, 518 F.3d 1022 (2008); *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006). Because approval of the minor Plaintiffs’ settlement Petition is dispositive, the compelling reasons standard applies to Plaintiffs’ motion to seal. *See Hagan v. California Forensic Medical Group*, 2012 WL 4460767 (E.D. Cal. Sept. 25, 2012); *M.P.*

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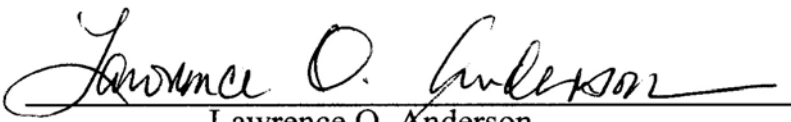
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1 *ex rel. Provins v. Lowe's Cos., Inc.*, 2012 WL 1574801, at *1 (E.D. Cal. May 3, 2012)
2 (holding that, because approval of minor's settlement is dispositive, the compelling reasons
3 standard applies to motion to seal) (citing *Taylor v. AFS Techs., Inc.*, 2010 WL 2079750, at
4 *2 (D. Ariz. May 24, 2010) ("Because approval of the settlement agreement will be
5 dispositive of the FLSA claim, the compelling reasons standard set forth in *Kamakana*
6 applies to that agreement."); *Franklin v. Allstate Corp.*, 2008 WL 2661943 (N.D. Cal. June
7 25, 2008); *White v. Sabatino*, 2007 WL 2750604 (D. Haw. Sept. 17, 2007).

8 Plaintiffs' motion to seal cites no authority to seal the petition approving the minors'
9 settlement and provides no discussion of the Ninth Circuit's compelling reasons standard.
10 In fact, as the foregoing cases reflect, it is well-established throughout the Ninth Circuit that
11 district courts routinely deny requests to seal petitions to approve minors' settlements.

12 **IT IS ORDERED** that Plaintiffs' Motion for Leave to File Petition for Approval of
13 Settlement of Minors' Claims under Seal, doc. 158, is **DENIED**. Plaintiffs must file their
14 Petition to Approve Minors' Settlement as a public document on or before **Monday, March**
15 **3, 2014 at 3:00 p.m.** or the Petition to Approve Minors' Settlement may be denied without
16 prejudice.

17 DATED this 28th day of February, 2014.

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20 Lawrence O. Anderson
21 United States Magistrate Judge
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