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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Jane Joyce Bruer,

10 Plaintiff,

11 v.

12 Phillips Law Group PC, *et al.*,

13 Defendants.
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No. CV-18-01843-PHX-JJT

ORDER

15 At issue is Plaintiff Jane Joyce Bruer's *ex parte* Motion for Leave to File Under
16 Seal Plaintiff's Complaint and/or Complaint Exhibits A-BB (Doc 1, Mot.).

17 In the Ninth Circuit, courts "start with a strong presumption in favor of access to
18 court records." *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1096 (9th Cir.
19 2016) (quoting *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir.
20 2003)). "In order to overcome this strong presumption, a party seeking to seal a judicial
21 record must articulate justifications for sealing that outweigh the historical right of access
22 and the public policies favoring disclosure." *Kamakana v. City & Cty. of Honolulu*, 447
23 F.3d 1172, 1178–79 (9th Cir. 2006). Where a document is "more than tangentially related
24 to the merits" of a case, the party seeking to seal the document must demonstrate
25 "compelling reasons to keep the documents under seal." *Ctr. for Auto Safety*, 809 F.3d at
26 1103.

27 Undoubtedly, the Complaint—and those exhibits included with the Complaint—
28 are "more than tangentially related to the merits" of this matter. Thus, Plaintiff must

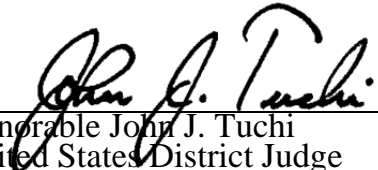
1 demonstrate “compelling reasons” to justify keeping the documents under seal. In the
2 Motion, Plaintiff argues that such reasons exist because “the Complaint and Exhibits
3 disclose private information regarding Plaintiff and Defendants” and that they “involve
4 highly sensitive matters concerning the Defendants and public disclosure of the
5 information would potentially be prejudicial to the Defendants as well as embarrassing.”
6 (Mot. at 2.) Neither is a compelling reason justifying sealing the Complaint and its
7 attachments. *See O’Connor v. Uber Techs., Inc.*, 2015 WL 355496, at *1 (N.D. Cal. Jan.
8 27, 2015) (finding that the possibility of embarrassment insufficient to justify sealing of
9 court records). However, should Plaintiff choose to file the Complaint, they shall comply
10 with the provisions contained within Federal Rule of Civil Procedure 5.2(a), which
11 restricts the filing of certain personal information.

12 IT IS THEREFORE ORDERED denying Plaintiff’s Motion for Leave to File
13 Under Seal Plaintiff’s Complaint and/or Exhibits A-BB (Doc. 1). Plaintiff is directed to
14 file the Complaint in compliance with the Federal Rules of Civil Procedure by July 16,
15 2018.

16 IT IS FURTHER ORDERED directing the Clerk of Court to unseal this matter
17 and Docs. 3, 4, 5.

18 IT IS FURTHER ORDERED directing to Clerk of Court to dismiss this action,
19 without further Order of the Court, if Plaintiff fails to file the Complaint by July 16,
20 2018.

21 Dated this 26th day of June, 2018.

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24 _____
25 Honorable John J. Tuchi
26 United States District Judge
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