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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTHA RIVERA, et al.,
Plaintiff,
v.
NIBCO INC, et al.,
Defendant.

Case No. 1:99-cv-06443-JLT-HBK
SUPPLEMENTAL ORDER REGARDING
MOVANTS' MOTION TO UNSEAL
CERTAIN DOCUMENTS
ORDER DIRECTING MOVANTS TO FILE
REDACTED AND UNSEALED
DOCUMENTS
30-DAY DEADLINE

On July 16, 2024, the Court granted in part Movants' Motion to Unseal certain records in this case, subject to redactions requested by Defendant Nibco Inc. (*See* Doc. No. 816). Pursuant to the Court's Order, Movants submitted to the Court the redacted copies of the applicable documents, accompanied by a letter noting minor additional redactions performed by the Parties,¹ and requesting the Court to rule on two filings that were not addressed by the Court's July 16, 2024 Order. Specifically, Plaintiffs request a ruling on Defendant Nibco Inc.'s proposed redactions to one filing and seek clarification that no redactions should apply to another filing. The Court finds the documents submitted for inspection properly redacted for filing and addresses the additional questions below.

¹ Movants advise that they redacted the name of a client company that the Court ordered redacted in three additional places. The Court finds these redactions to be appropriate.

1 **A. Defendant Nibco Inc.’s Reply to Plaintiff’s Opposition to Defendant Nibco, Inc.’s**
2 **Motions for Summary Judgment and/or Summary Adjudication (Doc. No. 401)**

3 In its second Response to Movants’ Motion to Unseal, Defendant Nibco requested that
4 certain redactions be made to its Reply to Plaintiff’s Opposition to Defendant Nibco, Inc.’s
5 Motions for Summary Judgment and/or Summary Adjudication. (Doc. No. 809 at 10). In its
6 previous ruling on Defendant’s proposed redactions, the Court overlooked this document and
7 addresses the proposed redactions herein.

8 Page 26, Lines 20-23 and Page 27, Lines 1-2: The referenced passage contains
9 performance evaluation information pertaining to Plaintiff Chhom Chan. It also mentions a non-
10 party supervisor who performed an evaluation. Because the names of non-parties are typically
11 redacted from court documents to protect their privacy interests, the Court will order the name of
12 the non-party employee redacted but otherwise unseal this document.

13 **B. Plaintiffs’ Objections to Evidence Submitted by Defendant in Support of Defendant’s**
14 **Motion for Summary Judgment and in Opposition to Plaintiffs’ Motion for**
15 **Summary Judgment (Doc. No. 407)**

16 Defendant Nibco noted in its second Response to Plaintiff’s Motion to Unseal that it
17 sought no redactions to this filing. (Doc. No. 809 at 10). The Court clarifies that the document
18 may be unsealed and filed without any redactions.

19 **ACCORDINGLY, it is ORDERED:**

- 20 1. Movant’s requests and clarification are GRANTED to the extent set forth above.
- 21 2. Within **thirty (30) days** from the date of this Order, Movant may file on CM/ECF the
22 following documents that were previously sealed and were submitted via email with
23 the redactions to the Court for inspection² and/or addressed herein:
- 24 a. Memorandum of Points and Authorities in Support of Defendant’s Motion for
25 Summary Judgment (with redaction);
- 26 b. Memorandum of Points and Authorities in Support of Plaintiff’s Motion for
27 Summary Judgment or Summary Adjudication of Issues (with redaction);

28 _____
² The Court accepts the conformed copies submitted by Movant without the CM/ECF header or document number as corresponding to the respective document in the Court’s July 16, 2024 Order.

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- c. Separate Statement of Undisputed Facts in Support of Plaintiff's Motion for Summary Judgment (Doc. No. 315) (with redaction);
- d. Plaintiff's Memorandum of Points and Authorities in Opposition to Defendant's Motion for Summary Judgment (Doc. No. 337) (with redaction);
- e. Defendant Nibco's Memorandum of Points and Authorities in Opposition to Plaintiff's Motion for Summary Judgment and/or Summary Adjudication (with redaction);
- f. Corrected Reply Memorandum in Support of Plaintiffs' Motion for Summary Judgment (Doc. No. 392) (with redaction);
- g. Plaintiff's Response to Defendant's Response to Separate Statement of Material Facts in Support of Plaintiff's Motion for Summary Judgment (Doc. No. 394) (with redaction);
- h. July 12, 2007 Court Order on Cross Motions for Summary Judgment (Doc. No. 436) (no redactions);
- i. Defendant Nibco's Reply to Plaintiff's Opposition to Defendant Nibco's Inc.'s Motion for Summary Judgment and/or Summary Adjudication (Doc. No. 401) (with redaction);
- j. Plaintiff's Objections to Evidence Submitted to Defendant in Support of Defendant's Motion for Summary Judgment (Doc. No. 407) (no redactions).

3. Upon the filing of the unsealed documents, the Court deems this matter concluded.

Dated: September 24, 2024


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE