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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

E. & J. GALLO WINERY, a California
corporation,

Plaintiff,

v.

PROXIMO SPIRITS, INC., et al,

Defendants.

) Case No.: 1:10-cv-00411 LJO JLT
)
)
) ORDER GRANTING IN PART AND
) DENYING IN PART REQUEST TO SEAL
) DOCUMENTS RELATED TO
) PLAINTIFF’S REPLY TO THE
) OPPOSITION TO THE MOTION TO
) AMEND ANSWER TO COUNTERCLAIMS
)
) (Doc. 118)
)
)

Before the Court is the Request to Seal Documents, filed by Plaintiff/Counterdefendant, E.J. Gallo Winery related to its Reply to the Opposition to the Motion to Amend its Answer to the Counterclaims. (Doc. 118) To make this determination, the Court must evaluate whether “‘good cause’ exists to protect th[e] information from being disclosed to the public by balancing the needs for discovery against the need for confidentiality.” Pintos v. Pacific Creditors Ass’n, 605 F.3d 665, 678 (9th Cir. 2010) (quoting Phillips ex rel. Estates of Byrd v. Gen. Motors Corp., 307 F.3d 1206, 1213 (9th Cir. 2002))

As to the materials containing information related to Defendant’s non-public corporation, the motion is **GRANTED**. On the other hand, some portions of the documents, set forth below,

1 do not reveal confidential information regarding Defendant's operations. As to those portions,
2 the motion is **DENIED**.

3 Therefore, good cause appearing,

4 1. The Court **ORDERS** the following to be **SEALED**:

5 a. All of the requested portions of the memorandum of points and authorities
6 filed in Reply;

7 b. All of the requested portions of the Thompson Declaration;

8 c. Exhibit A to the Thompson Declaration **except**:

9 i. pages 16 and 17 because these pages have already been ordered
10 sealed (doc. 102) and have already been filed as an exhibit (Doc.
11 109) and **SHALL NOT** be re-filed;

12 ii. lines 11-25 of page 32;

13 d. The "Appendix" filed in Exhibit C to the Thompson Declaration. The rest
14 of Exhibit C has already been ordered sealed (doc. 102) and has already
15 been filed as an exhibit (Doc. 109) and **SHALL NOT** be re-filed;

16 2. The Clerk of the Court is **DIRECTED** to file these pages under seal.

17 3. The moving party is **ORDERED** to file electronically a copy of page 32 of
18 Exhibit A of the Thompson Declaration, which is redacted as set forth above,
19 within two business days of the date of service of this order.

20 IT IS SO ORDERED.

21 Dated: September 6, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE