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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 PLAINTIFF'S
) REQUEST TO SEAL DOCUMENTS
) RELATED TO MOTION TO STRIKE
) OPINION OF GERALD FORD
)
) (Doc. 158)
)
)
)

Before the Court is the Request to Seal Documents, filed by Plaintiff (Doc. 158) related to Defendants' motion strike the opinion of Gerald Ford. (Doc. 144) 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))

Here, Plaintiff seeks to seal portions of its memorandum of points and authorities and exhibits attached to the Declaration of Donald Thompson. Notably, this contains portions of marketing plans produced in discovery. Because all of this material is confidential information not otherwise available or known to the public, the Court finds that the need to maintain the

1 confidentiality of this material, outweighs the need for public disclosure. Therefore, as to these
2 materials, the motion is **GRANTED**.

3 Therefore, good cause appearing,

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

5 a. Plaintiff's memorandum of points and authorities, at:

6 i. Page 10, line 3 beginning after the phrase "as a whole" to line 4
7 ending before the phrase, "(See Thompson Decl.. Exh. 6"

8 ii. Page 10, line 4 beginning after the phrase "(See Thompson Decl..
9 Exh. 6 to line 5 ending before the phrase, "(emphasis in original).)"

10 b. Donald Thompson Declaration, at:

11 i. Entire Exhibit 6;

12 ii. Entire Exhibit 7;

13 iii. Entire Exhibit 9;

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

15 3. The moving party is **ORDERED** to file electronically a redacted copy of the
16 materials ordered **to be sealed** within two business days of the date of service of
17 this order.

18 IT IS SO ORDERED.

19 Dated: November 15, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE