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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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| JACO VAN MAANEN, |) | Case No.: 1:10-cv-00493 AWI JLT |
| Plaintiff, |) | |
| v. |) | ORDER GRANTING IN PART AND DENYING IN PART REQUEST TO SEAL DECLARATION OF JONATHON BLUTE AND EXHIBITS THERETO AND THE MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION FOR GOOD FAITH SETTLEMENT |
| YOUTH WITH A MISSION-BISHOP, et al., |) | |
| Defendants. |) | |
| <hr/> | | (Doc. 61) |

Before the Court is the Request to Seal Documents filed by Defendant Youth With A Mission International, Inc. (“Defendant”), that will be filed in support of it’s motion for good faith settlement. (Doc. 61) In particular, Defendant seeks to have sealed a declaration of its attorney, Jonathon Blute and exhibits attached thereto including the settlement agreement at issue and certain, unspecified, portions of the memorandum that will be filed in support of its motion for good faith settlement that recite the terms of the settlement agreement.¹ No party opposed this request.

¹Despite the Court issuing a minute order requiring Defendant to lodge the documents subject to the sealing request that specifically highlighting the material that it wished to be sealed, Defendant merely re-lodged the same documents and requested their entirety to be sealed. This fails to comply with Local Rule 141.

1 To make this determination, the Court must evaluate whether “‘good cause’ exists to
2 protect th[e] information from being disclosed to the public by balancing the needs for discovery
3 against the need for confidentiality.’” Pintos v. Pacific Creditors Ass’n, 605 F.3d 665, 678 (9th
4 Cir. 2010) (quoting Phillips ex rel. Estates of Byrd v. Gen. Motors Corp., 307 F.3d 1206, 1213
5 (9th Cir. 2002))

6 Review of the settlement agreement makes clear that it reveals information that would not
7 otherwise be known or available to the public. On this basis, the Court finds good cause to seal
8 the settlement agreement and the portions of the memorandum of points and authorities which set
9 forth the terms of the settlement. Thus, in this regard, the motion is **GRANTED**. On the other
10 hand, the Blute declaration and the e-mail correspondence between the lawyers is not
11 confidential by its nature and is of the type that is frequently filed in an unsealed state.
12 Moreover, Defendant fails to provide cogent argument or authority that demonstrates that these
13 documents should be sealed. Thus, as to these documents, the motion is **DENIED**.

14 **ORDER**

15 Therefore, good cause appearing,

- 16 1. The Court **ORDERS** the following documents or portions thereof to be **SEALED**:
- 17 a. Exhibit A to the Blute declaration;
- 18 b. The following portions of the Memorandum of Points and Authorities In Support
19 of Defendant Youth With A Mission - International, Inc.’s Application for an
20 Order Determining Good Faith Settlement:
- 21 i. page 2, lines 4-6, (the last full sentence of the paragraph);
- 22 ii. page 4, lines 4-6, (the first full sentence of the paragraph);
- 23 iii. page 8, lines 5-6, (the first full sentence of the paragraph);
- 24 2. The Clerk of the Court is **DIRECTED** to file these documents or portion thereof under
25 seal;
- 26 3. The Court **ORDERS** the following **NOT to be SEALED**:
- 27 a. The Blute Declaration;
- 28 b. Exhibit B to the Blute Declaration;

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- c. Exhibit C to the Blute Declaration;
- d. Exhibit D to the Blute Declaration;
- e. Exhibit E to the Blute Declaration;
- f. All other portions of the Memorandum of Points and Authorities In Support of Defendant Youth With A Mission - International, Inc.'s Application for an Order Determining Good Faith Settlement, not set forth above.

4. The moving party is **ORDERED** to file the documents ordered not to be sealed and a redacted version of the memorandum of points and authorities consistent with the Court's order set forth above, within two business days of the date of service of this order.

IT IS SO ORDERED.

Dated: October 20, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE