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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 GENERAL ELECTRIC COMPANY, et al.,

12 Plaintiffs,

13 vs.

14 THOMAS WILKINS,

15 Defendant.
16

Case No. 1:10-CV-00674 LJO JLT

**ORDER GRANTING GE’S REQUEST TO
FILE ATTORNEY BILLING
INFORMATION DOCUMENTS UNDER
SEAL**

(Doc. 459)

17 Before the Court is the request to seal invoices submitted at the request of the Court for
18 consideration in connection with GE’s motion for sanctions. (Doc. 331, 369) GE contends the
19 document should be sealed because it sets forth the confidential billing rates for the attorneys involved in
20 the motion for sanctions. (Doc. 459-1 at 2) GE contends that if this information was revealed it would
21 impact its competition advantage. Id.

22 Generally, documents filed in civil cases are presumed to be available to the public. EEOC v.
23 Erection Co., 900 F.2d 168, 170 (9th Cir. 1990); see also Kamakana v. City and County of Honolulu, 447
24 F.3d 1172, 1178 (9th Cir.2006); Foltz v. State Farm Mut. Auto Ins. Co., 331 F.3d 1122, 1134 (9th
25 Cir.2003). Documents may be sealed only when the compelling reasons for doing so outweigh the
26 public’s right of access. EEOC at 170. In evaluating the request, the Court considers the “public interest
27 in understanding the judicial process and whether disclosure of the material could result in improper use
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1 of the material for scandalous or libelous purposes or infringement upon trade secrets.” Valley
2 Broadcasting Co. v. United States District Court, 798 F.2d 1289, 1294 (9th Cir. 1986). In addition, in
3 trademark/dress matters, attorney billing rates which are not publicly known and are “competitively
4 sensitive,” warrant sealing. China Intl Travel Servs. (USA) v. China & Asia Travel Serv., 2008 U.S.
5 Dist. LEXIS 106622 at *29 (N.D. Cal. Dec. 18, 2008); Mine O’Mine, Inc. v. Calmese, 2012 U.S. Dist.
6 LEXIS 53077 at *10 (D. Nev. Apr. 16, 2012).

7 **ORDER**

8 Based upon the foregoing, the Court **ORDERS:**

9 1. The requested portion of the document will be **SEALED**.

10 5. Within two court days, counsel SHALL file a public version of the billing records that is
11 redacted consistent with this order.

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13 IT IS SO ORDERED.

14 Dated: July 13, 2012

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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