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10 **UNITED STATES DISTRICT COURT**  
11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
12

13 PAMELA J. FOX, ON BEHALF OF  
14 HERSELF AND AS NEXT FRIEND TO  
15 C.M.R., A MINOR,

16 Plaintiffs,

17 vs.

18 COUNTY OF TULARE, LETICIA  
19 CASTANEDA, ERICA SOTO, RON  
20 CASTANEDA, JULIA LANGLEY, CAROL  
21 HELDING, JOHN ROZUM, STEVEN D.  
22 ROGERS and DOES 1 to 100, inclusive,

23 Defendants.

) CASE NO. 1:11-CV-00520-AWI-SMS  
)  
) REQUEST TO FILE EXHIBITS UNDER  
) SEAL RE DEFENDANTS LETICIA  
) CASTANEDA, ERICA SOTO, AND RON  
) CASTANEDA'S MOTION FOR SUMMARY  
) JUDGMENT OR IN THE ALTERNATIVE  
) SUMMARY ADJUDICATION OF ISSUES  
)  
)  
) Date: March 3, 2014  
) Time: 1:30 p.m.  
) Ctrm: 2  
)  
)  
) Complaint Filed: 03/24/11  
) Trial Date: 03/25/14  
)  
)

24 COME NOW defendants, LETICIA CASTANEDA, ERICA SOTO and RON  
25 CASTANEDA and request that the following exhibits delivered herewith be filed under seal:

- 26 1. Exhibits B – C of the Declaration to the Declaration of Leslie M. Dillahunty in  
27 Support of Defendants' Motion for Summary Judgment or in the Alternative  
28 Summary Adjudication of the Issues. These documents include confidential and  
sealed portions of deposition transcripts in the underlying family law proceedings,  
which are subject to a Protective Order issued June 19, 2012 by the Superior Court  
of California, Tulare County and require that these documents be filed under seal or  
otherwise not be made public. Specifically Exhibit B consists of the excerpts of the

1 September 24, 2013 deposition of Lisbeth Lerma and Exhibit C consists of the  
2 excerpts of the September 27, 2013 deposition of Natalie Armistead. Questions in  
3 portions of the depositions entail the investigation of allegations of sexual abuse  
4 pertaining to a minor. Given the confidential nature of the proceedings, it is  
5 requested that Exhibits B – C of the Declaration to the Declaration of Leslie M.  
6 Dillahunty be filed with the court under seal. Attached hereto as Exhibit “1” is a  
7 true and correct copy of the June 19, 2012 Protective Order.

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9 2. Exhibits A – H to the Declaration of Gary Kupfer. Exhibits A – H consist of copies  
10 of records from Tulare County Child Welfare Services, which are subject to the June  
11 8, 2012 Protective Order issued in the Superior Court of California, Tulare County  
12 and require that these documents be filed under seal or otherwise not be made  
13 public. Furthermore, the records pertain to the investigation of allegations of sexual  
14 abuse pertaining to a minor. Given the confidential nature of the records, it is  
15 requested that Exhibits A – H to the Declaration of Gary Kupfer be filed with the  
16 court under seal. Attached hereto as Exhibit “2” is a true and correct copy of the  
17 June 8, 2012 Protective Order.

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19 3. Exhibit A to the Declaration of Lydia Suarez. Exhibit A consists of copies of  
20 records from Tulare County Child Welfare Services, which are subject to the June 8,  
21 2012 Protective Order issued in the Superior Court of California, Tulare County and  
22 require that these documents be filed under seal or otherwise not be made public.  
23 Furthermore, the records pertain to the investigation of allegations of sexual abuse  
24 pertaining to a minor. See Exhibit “2.”

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26 4. Exhibits F – O to the Request for Judicial Notice in Support of Motion for Summary  
27 Judgment or Alternatively Summary Adjudication of Issues. Exhibits F – L consists  
28 of court documents filed in the underlying family law proceedings and Exhibits M –

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O consist of transcripts of the proceedings in the underlying family law proceedings. The court documents and transcripts pertain to the investigation of allegations of sexual abuse pertaining to a minor. Given the confidential nature of the records, it is requested that Exhibits F – O to the Request for Judicial Notice be filed with the court under seal. See Exhibit “1.”

Dated: January 21, 2014

WEAKLEY & ARENDT, LLP


/s/ Leslie M. Dillahunty  
Leslie M. Dillahunty,  
Attorney for Defendants, Leticia  
Castaneda, Erica Soto  
and Ron Castaneda

**GOOD CAUSE APPEARING,**

**IT IS ORDERED THAT EXHIBITS B – C TO THE DECLARATION OF LESLIE M. DILLAHUNTY, EXHIBITS A – H TO THE DECLARATION OF GARY KUPFER, EXHIBIT A TO THE DECLARATION OF LYDIA SUAREZ, AND EXHIBITS F – O TO THE REQUEST FOR JUDICIAL NOTICE BE FILED UNDER SEAL.**

IT IS SO ORDERED.

Dated: January 22, 2014

  
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SENIOR DISTRICT JUDGE

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PROOF OF SERVICE

I, the undersigned, hereby certify that I am employed in the County of Fresno, State of California, over the age of eighteen years and not a party to the within action; my business address is 1630 East Shaw Avenue, Suite 176, Fresno, California 93710.

On the date set forth below, I placed in a sealed envelope and served a true copy of the within

**REQUEST TO FILE EXHIBITS UNDER SEAL RE DEFENDANTS LETICIA CASTANEDA, ERICA SOTO, AND RON CASTANEDA’S MOTION FOR SUMMARY JUDGMENT OR IN THE ALTERNATIVE SUMMARY ADJUDICATION OF ISSUES**

addressed as follows:

<p>Andrea M. Miller Nageley, Meredith &amp; Miller, Inc. 8801 Folsom Blvd., Suite 172 Sacramento, CA 95826 Phone: (916) 386-8282 Fax: (916) 386-8952</p> <p>Seth Louis Goldstein Law Offices of Seth Goldstein 2100 Garden Rd., Suite H-8 Monterey, CA 93940 Phone: (831) 372-9511 Fax: (831) 372-9611 Email: attnyslgoldstein@aol.com</p> <p>Attorneys for Plaintiffs, Pamela J. Fox and C.M.R.</p>	<p>Michael G. Woods Deborah Byron McCormick, Barstow, Sheppard, Wayte &amp; Carruth, LLP 7647 N. Fresno Street Fresno, CA 93720 Phone: (559) 433-1300 Fax: (559) 433-2300 Email: mike.woods@mccormickbarstow.com</p> <p>Attorneys for Defendants, County of Tulare, John</p> <p>E-mail to: <a href="mailto:smsorders@caed.uscourts.gov">smsorders@caed.uscourts.gov</a></p>
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**BY OVERNIGHT MAIL.**

I am readily familiar with the business practice at my place of business for collection and processing of correspondence for overnight delivery with OnTrac Overnight. Such correspondence will be deposited with a facility regularly maintained by OnTrac for receipt on the same day in the ordinary course of business.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. I declare under penalty of perjury that the foregoing is true and correct, and that this proof of service was executed at Fresno, California, on January 22, 2014.

/s/ Cynthia Gale  
Cynthia Gale