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**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

**LOUIS J. AMENDOLA, an individual, )  
FRESNO BEVERAGE COMPANY, )  
d.b.a. VALLEY WIDE BEVERAGE )  
COMPANY, a California Corporation, )**

**Plaintiffs,**

**v.**

**HOWARD REISSNER, an individual, )  
AMY REISSNER, an individual, and )  
DOES 1 through 100, inclusive, )**

**Defendants.**

\_\_\_\_\_  
AND RELATED COUNTER CLAIM  
\_\_\_\_\_

**1:11-cv-1001 AWI SKO**

**VACATING MAY 21, 2012  
HEARING, TAKING MATTER  
UNDER SUBMISSION, AND  
ORDER FOR RESPONSE TO  
SEALING REQUEST**

Currently set for hearing and decision on May 21, 2012, is Defendants’ motion for summary judgment. Pursuant to Local Rule 230(h), the Court has reviewed the moving papers and has determined that the matter is suitable for decision without oral argument.

Additionally, Defendants have filed a notice of request to seal two documents, Exhibits D and E. Magistrate Judge Oberto previously denied a stipulated request to seal these documents, but did so without prejudice. Defendants indicate that they do not believe that there is confidential information in these exhibits, but have entered into a stipulation to file the documents under seal. Defendants further indicate that they filed the request as per the suggestion of Magistrate Judge Oberto and to give Plaintiffs the opportunity to explain their position to the Court. To date, Plaintiffs have not responded to the request to seal. The Court believes that a response from Plaintiffs on this issue is appropriate.

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The previously set hearing date of May 21, 2012, is VACATED, and as of May 21, 2012,  
3 the Court will take the matters under submission and will thereafter issue its decision; and
- 4 2. As soon as possible, but no later than 10:00 a.m. on May 24, 2012, Plaintiffs shall file a  
5 response to the request to seal documents which addresses the concerns raised by the  
6 Magistrate Judge in the April 18, 2012 order (Doc. No. 20) and explains why sealing is  
7 appropriate.<sup>1</sup>

8 IT IS SO ORDERED.

9 Dated: May 16, 2012

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12 CHIEF UNITED STATES DISTRICT JUDGE  
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27 <sup>1</sup>If Plaintiffs fail to meet this deadline, the Court will deny the request to seal and order  
28 Exhibits D and E filed on the docket.