

1 KEITH A. JACOBY, Bar No. 150233  
kjacoby@littler.com  
2 LITTLER MENDELSON, P.C.  
2049 Century Park East, 5th Floor  
3 Los Angeles, CA 90067.3107  
Telephone: 310.553.0308  
4 Fax No.: 310.553.5583

5 MICHELLE B. HEVERLY, Bar No. 178660  
meverly@littler.com  
6 SOPHIA BEHNIA, Bar No. 289318  
sbehnia@littler.com  
7 LITTLER MENDELSON, P.C.  
650 California Street, 20th Floor  
8 San Francisco, CA 94108.2693  
Telephone: 415.433.1940  
9 Fax No.: 415.399.8490

10 MIREYA A.R. LLAURADO, Bar No. 194882  
mallaurado@fedex.com  
11 FEDEX FREIGHT, INC.  
3425 Victor Street  
12 Santa Clara, CA 95054  
Telephone: 408.654.3186  
13 Facsimile: 408.654.3297

14 Attorneys for Defendant  
FEDEX FREIGHT, INC.

15 UNITED STATES DISTRICT COURT

16 EASTERN DISTRICT OF CALIFORNIA

17  
18 ROY D. TAYLOR, on behalf of himself  
and all others similarly situated,

19 Plaintiff,

20 v.

21 FEDEX FREIGHT, INC., an Arkansas  
22 Corporation; and DOES 1 through 10,  
inclusive,

23 Defendants.  
24

Case No. 1:13-cv-01137-LJO-BAM

**DEFENDANT'S REQUEST TO SEAL  
DOCUMENTS**

Date: January 16, 2015

Time: 9:00 a.m.

Courtroom: 8. Hon. Barbara A. MacAuliffe

1 In support of its Opposition to Plaintiff Roy Taylor’s Motion for Class Certification,  
2 Defendant FedEx Freight, Inc. (“FXFI”) intends to file certain documents under deal pursuant to the  
3 Parties’ Stipulated Protective Order entered on February 3, 2014.

4 Pursuant to the Protective Order paragraph 12.3, FXFI requests the Court authorize the  
5 sealing of the following specific documents that FXFI deems to be Protected Material as listed  
6 below:

- 7 1. Lesson 2 of the FXFI Road Driver Manual (Bates Nos. D001812-D001830).
- 8 2. Lesson 13 of the FXFI Road Driver Manual (Bates Nos. D002776-D002780;  
9 D001977-D001979).
- 10 3. FXFI Meal Periods and Rest Breaks Policy – California (Bates Nos. D002848-  
11 D002851).

12 Additionally, FXFI seeks to file the unredacted version of its Opposition to Plaintiff’s Motion  
13 For Class Certification, the unredacted version of the Declaration of Jeffrey Scroggins in Support of  
14 FXFI’s Opposition, the unredacted version of the Declaration of Jon Barrett in Support of FXFI’s  
15 Opposition, and the unredacted version of the Declaration of Katyna Naylor in Support of FXFI’s  
16 Opposition. The aforementioned documents are attached hereto as **Exhibit 1**. FXFI requests that  
17 the Court seal a total of eighty (80) pages.

18 Lesson 13 of the FXFI Road Driver Manual and the FXFI Meal Periods and Rest Breaks  
19 Policy have previously been sealed by the Court. (*See* Docket No. 20).

20 Dated: October 15, 2014

21  
22 /s/ Sophia Behnia  
23 MICHELLE B. HEVERLY  
24 SOPHIA BEHNIA  
25 LITTLER MENDELSON, P.C.  
26 Attorneys for Defendant  
27 FEDEX FREIGHT, INC.  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

The Court, having read and considered FXFI’s Request to Seal Documents intended for use in FXFI’s Opposition to Plaintiff’s Motion for Class Certification, finds good cause to keep under seal the documents deemed Protected Material by FXFI pursuant to the Protective Order.

IT IS HEREBY ORDERED that the documents described in the Request to Seal Documents be kept under seal.

- 1. Lesson 2 of the FXFI Road Driver Manual (Bates Nos. D001812-D001830).
- 2. Lesson 13 of the FXFI Road Driver Manual (Bates Nos. D002776-D002780; D001977-D001979).
- 3. FXFI Meal Periods and Rest Breaks Policy – California (Bates Nos. D002848-D002851).

IT IS SO ORDERED.

Dated: October 16, 2014

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE