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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 JERROD FINDER, et al.,

12 Plaintiffs,

13 v.

14 LEPRINO FOODS COMPANY, et al.,

15 Defendants.  
16

Case No. 1:13-cv-02059-AWI-BAM

ORDER DENYING COUNSEL MORRIS  
NAZARIAN'S REQUEST TO SEAL  
DOCUMENTS

(Doc. No. 107)

17 Currently before the Court is the request of Morris Nazarian, counsel for Plaintiff Jerrod  
18 FINDER, to file a declaration and attachments thereto under seal in response to the Court's Order  
19 to Show Cause issued to Philip A. Downey. (Doc. Nos. 99, 107.) The request to seal  
20 documents was not served upon any other parties or counsel and no timely opposition to the  
21 request was filed pursuant to Local Rule 141. For the reasons that follow, Mr. Nazarian's  
22 request for filing under seal is DENIED.

23 Mr. Nazarian asserts that there is good cause to file his declaration under seal because  
24 the declarations and attachments thereto "contain information that is protected by the attorney-  
25 client privilege as well as information that is protected by the confidentiality accorded to  
26 attorney work-product." (Doc. No. 107.) Mr. Nazarian also contends that the declaration and  
27 attachments thereto should remain confidential "based upon the very sensitive issues which  
28

1 exist attendant to [the Order to Show Cause].” (*Id.*)

2           The Court does not believe that the information proposed would assist the Court in  
3 resolving the Order to Show Cause, as the sole remaining issues are whether Mr. Downey is  
4 regularly employed in California and whether he is regularly engaged in professional activities  
5 in California. (*See* Doc. No. 109.) Moreover, the Court finds that Mr. Downey should be  
6 provided notice and an opportunity to respond to any allegations which the Court would be  
7 asked to consider in resolving the Order to Show Cause.

8           While it appears from Mr. Nazarian’s request that the declaration and attachments at  
9 issue are extraneous to the Order to Show Cause, if Mr. Nazarian would like the Court to  
10 consider any information pertaining to whether Mr. Downey is regularly employed in  
11 California or whether he is regularly engaged in professional activities in California, he may  
12 file the relevant documents in the publicly available docket, with any confidential or privileged  
13 information redacted. *See* Local Rule 140(b).

14           For these reasons, Mr. Nazarian’s Request to File Under Seal is DENIED.

15  
16 IT IS SO ORDERED.

17 Dated: September 26, 2019

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE