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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PATRICIA A. MCCOLM,
Plaintiff,
v.
STATE OF CALIFORNIA, *et al.*,
Defendants.

Case No. 1:14-cv-00580-LJO-JDP
ORDER GRANTING REQUEST TO FILE
DOCUMENT UNDER SEAL
(Doc. No. 68.)

Plaintiff Patricia A. McColm is proceeding without counsel in this civil rights action brought under 42 U.S.C. § 1983 and the Americans with Disabilities Act. Plaintiff has requested to file a document under seal. (Doc. No. 68.)

In the Ninth Circuit, there is a “strong presumption in favor of access to court records.” *See Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). However, the presumption is not absolute. *See id.* “Documents may be sealed only by written order of the Court, upon the showing required by applicable law.” Local Rule 141. Upon a showing of good cause, the court may issue a protective order to prevent a party “from annoyance, embarrassment, oppression, or undue burden or expense.” Fed. R. Civ. P. 26(c).

Here, plaintiff has asked to file a letter from a physician under seal. The court presumes that plaintiff is attempting to protect personal health information. *See* 45 C.F.R. Part 164. The

1 court will grant the motion (Doc. No. 68) and permit the letter to be filed under seal. The
2 presiding judge will decide how much weight to give the contents of the letter—or whether it is
3 appropriate to consider it at all—upon his consideration of the objections to the pending findings
4 and recommendations.

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6 IT IS SO ORDERED.

7 Dated: September 19, 2018


UNITED STATES MAGISTRATE JUDGE

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