

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

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

-----oo0oo-----

DELIA WILSON, on behalf of  
herself and all others  
similarly situated,

Plaintiffs,

v.

CONAIR CORPORATION,

Defendant.

CIV. NO. 1:14-00894 WBS SAB

ORDER RE: DEFENDANT'S REQUEST TO  
SEAL

-----oo0oo-----

Defendant requests that the court seal Exhibit A filed in support of its motion for sanctions for spoliation of evidence against plaintiff. (Docket No. 131.) Exhibit A is a redacted copy of the retainer agreement between plaintiff and plaintiff's counsel. Defendant argues, and plaintiff agrees, (Docket No. 136), that the exhibit should be sealed because it contains plaintiff's personal and confidential information and the

1 agreement is protected by the attorney-client privilege.

2 This court has previously told the parties that just  
3 because they agree to have documents sealed does not constitute a  
4 compelling reason that outweighs the public interest in access to  
5 court records. (See Feb. 5, 2016 Order (Docket No. 120).) The  
6 court has an independent obligation to balance the competing  
7 interests of the public and the parties seeking to keep records  
8 secret. See Kamakana v. City & County of Honolulu, 447 F.3d  
9 1172, 1179 (9th Cir. 2006).

10 Defendant fails to specifically identify any  
11 information in the retainer, that has not already been redacted,  
12 that might be protected by the attorney-client privilege.  
13 Defendant has therefore failed to "articulate compelling reasons  
14 supported by specific factual findings that outweigh the general  
15 history of access and the public policies favoring disclosure,  
16 such as the public interest in understanding the judicial  
17 process." Id. at 1178. Accordingly, defendant's request to seal  
18 Exhibit A is DENIED.

19 Dated: April 12, 2016



**WILLIAM B. SHUBB**  
**UNITED STATES DISTRICT JUDGE**

20  
21  
22  
23  
24  
25  
26  
27  
28