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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

AURORA FIGUEROA, on her own behalf,  
and as successor in interest to MARTIN  
FIGUEROA, and LIZETTE FIGUEROA, on  
her own behalf,

Plaintiffs,

v.

CITY OF FRESNO, a municipal corporation,  
OFFICER ROBERT ALVAREZ, individually  
and in his capacity as a police officer for the  
CITY OF FRESNO, and OFFICER MIKAL  
CLEMENT individually and in his capacity as  
a police officer for the CITY OF FRESNO,

Defendants.

Case No. 1:15-cv-00349-DAD-BAM

**ORDER DENYING PLAINTIFFS’  
REQUEST TO SEAL DOCUMENTS  
AND AMENDING PRETRIAL  
SCHEDULING ORDER**

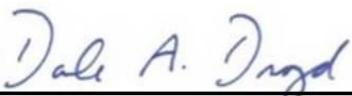
Before the court is plaintiffs’ notice and request (Doc. No. 53) brought pursuant to Local Rule 141 to file under seal expert reports designated as Exhibits 1, 2 and 3 to their designation/disclosure of expert witnesses filed July 29, 2016 (Doc. No. 54). Therein, plaintiffs’ counsel indicates that they are requesting to file the reports under seal because they contain information designated “Confidential” pursuant to the parties’ Stipulated Protective Order, a designation with which plaintiffs’ counsel disagrees in this instance, and that a provision of the Stipulated Protective Order requires them to do so. This showing does not meet Local Rule 141’s

1 requirement that a party seeking to file documents under seal must “set forth the statutory or other  
2 authority for sealing” nor does it establish good cause for filing the reports under seal.

3           However, all is not lost. The court understands that both parties have been proceeding in  
4 good faith in this regard with the understanding that the Pretrial Scheduling Order issued by the  
5 previously assigned District Judge required that the expert reports themselves be attached to their  
6 designation/disclosure of expert witnesses filed with the court. (See Doc. No. 15 at 2.) The  
7 undersigned now modifies that Scheduling Order to relieve both parties of that requirement.  
8 Rather, with their designation/disclosure of expert witnesses the parties will now be required only  
9 to serve the reports of their experts on opposing counsel but those reports need not accompany the  
10 designation/disclosure of expert witnesses filed with the court.<sup>1</sup>

11 IT IS SO ORDERED.

12 Dated: August 3, 2016

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15 UNITED STATES DISTRICT JUDGE

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27 <sup>1</sup> The court has been informed that counsel may have recently inquired and may have been  
28 directed by court staff to seek to file their expert reports under seal. The court apologizes to all  
counsel for any unnecessary expenditure of time confusion over this issue has caused them. If  
this amendment to the Pretrial Scheduling Order does not solve counsels’ dilemma, they are  
encouraged to contact the undersigned’s courtroom deputy.