

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

Stephen R. Cornwell, CA Bar #40737
Catherine M. Houlihan, CA Bar #312113
CORNWELL & SAMPLE, LLP
Attorneys at Law
7045 N. Fruit Avenue
Fresno, CA 93711-0761
Telephone: (559) 431-3142
Facsimile: (559) 436-1135

(SPACE BELOW FOR FILING STAMP ONLY)

Attorneys for Plaintiffs MELINDA AVILA, GRETTEL LORENZO, ALFREDO LORENZO, and JOSE LORENZO

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MELINDA AVILA, GRETTEL LORENZO,
ALFREDO LORENZO, and JOSE
LORENZO,

Plaintiffs,

v.

STATE OF CALIFORNIA; COUNTY OF
MADERA; RICHARD GONZALES;
PAUL VARNER; GUY RICH and DOES
3 through 100, inclusive,

Defendants.

CASE NO.: 1:15-cv-00996-JAM-EPG

**PLAINTIFFS' REQUEST TO SEAL
DOCUMENTS AND ORDER
THEREON**

Plaintiffs MELINDA AVILA, GRETTEL LORENZO, ALFREDO LORENZO, and JOSE LORENZO ("Plaintiffs") hereby move the Court, pursuant to Federal Rules of Civil Procedure (F.R.C.P.) 5.2 and Local Civil Rule 141, for an Order for Exhibits to Plaintiffs Evidentiary Appendix in Support of Opposition to the California Highway Patrol and Paul Varner's Motion for Summary Judgment (Dkt. No 62), Exhibits to Plaintiffs Evidentiary Appendix in Support of Plaintiffs Opposition to the County of Madera and Richard Gonzales' Motion for Summary Judgment (Dkt. No 64), and Exhibits A, K, L, Q, S, U, and W to the Declaration of Carolyn J. Frank In support of Motion for Partial Summary Judgment and/or Motion for Summary Adjudication (Dkt. Nos. 57 -1; 57-

1 11; 57-12; 57-17; 57-19; 57-21; 57-22) (the “exhibits”) to be filed under seal with the
2 Court.

3 Plaintiffs seeks relief from the court and request that the documents filed by
4 Plaintiffs, specifically Exhibits 11 and 12 to Plaintiffs Evidentiary Appendix which are
5 copies of police reports from the day of the incident and contain Plaintiffs date of birth be
6 filed under seal. Further, Plaintiffs request that the documents filed by Ms. Frank for the
7 County, which are County of Madera Claim for Damages forms and copies of police
8 reports from the day of the incident, which contain Plaintiffs date of birth and social
9 security numbers also be filed under seal.

10 The information contained in these exhibits violate Plaintiffs privacy and
11 potentially expose them to privacy invasions, identity theft and scams. The disclosure of
12 such information by Plaintiffs’ Counsel was unintentional and Plaintiffs’ Counsel therefore
13 seeks the relief of court to remedy this disclosure. Plaintiffs are also concerned that the
14 disclosure by Defense exposes Plaintiffs to elevated privacy concerns since it contains the
15 name, date of birth, address and social security number of Plaintiffs. Plaintiffs seek relief
16 of the Court to seal the identified exhibits.

17 Plaintiffs request that these documents be sealed until such records can be
18 disposed of due to the privacy needs of Plaintiffs. The identity of those permitted to have
19 access to this document shall be Court users and staff, Counsel for Plaintiffs and his office
20 staff, Defense counsel Carolyn J. Frank and Catherine Woodbridge and their office staff,
21 and all parties to this action.

22 Accordingly, Plaintiffs respectfully submit this Request to Seal Documents
23 titled:

- 24 1. Exhibits to Plaintiffs Evidentiary Appendix in Support of Opposition to the
25 California Highway Patrol and Paul Varner’s Motion for Summary
26 Judgment;

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

- 2. Exhibits to Plaintiffs Evidentiary Appendix in Support of Plaintiffs Opposition to the County of Madera and Richard Gonzales' Motion for Summary Judgment; and
- 3. Exhibits A, K, L, Q, S, U, and W to the Declaration of Carolyn J. Frank In support of Motion for Partial Summary Judgment and/or Motion for Summary Adjudication.

A proposed Order is attached hereto.

DATED: June 8, 2017.

CORNWELL & SAMPLE, LLP

By: /s/ Catherine M. Houlihan
 Stephen R. Cornwell
 Catherine M. Houlihan
 Attorneys for Plaintiffs
 MELINDA AVILA, GRETTEL LORENZO,
 ALFREDO LORENZO, and JOSE LORENZO

ORDER

Good cause appearing,
IT IS SO ORDERED that the Sentencing documents be filed under seal.

DATED: June 12, 2017



 U.S. DISTRICT COURT JUDGE

F:\Cases\AVILA.Melinda\PLEADINGS\RQT.SEAL.DOCS.doc