

1 research, development, or commercial information not be revealed or be revealed only in a specified
2 way.” Only if good cause exists may the Court seal the information from public view after balancing
3 “the needs for discovery against the need for confidentiality.” Pintos v. Pac. Creditors Ass’n, 605 F.3d
4 665, 678 (9th Cir. Cal. 2010) (quoting Phillips ex rel. Estates of Byrd v. Gen. Motors Corp., 307 F.3d
5 1206, 1213 (9th Cir. 2002)).

6 Presumptively, documents filed in civil cases are to be available to the public. EEOC v.
7 Erection Co., 900 F.2d 168, 170 (9th Cir. 1990); see also Kamakana v. City and County of Honolulu,
8 447 F.3d 1172, 1178 (9th Cir.2006); Foltz v. State Farm Mut. Auto Ins. Co., 331 F.3d 1122, 1134 (9th
9 Cir.2003). The Court may seal documents only when the compelling reasons for doing so outweigh the
10 public’s right of access. EEOC at 170. In evaluating the request, the Court considers the “public
11 interest in understanding the judicial process and whether disclosure of the material could result in
12 improper use of the material for scandalous or libelous purposes or infringement upon trade secrets.”
13 Valley Broadcasting Co. v. United States District Court, 798 F.2d 1289, 1294 (9th Cir. 1986).

14 As noted above, the plaintiff seeks to seal documents that list the child’s name and other
15 identifiers. The record has this information listed throughout making redaction impractical. The
16 information contained in the record is highly sensitive and is deserving of confidentiality. Moreover,
17 the parties jointly agree that the record should be filed under seal.¹ Thus, the Court finds a compelling
18 need for the information contained in the record to remain private.

19 ORDER

20 Based upon the foregoing, the Court **ORDERS**:

- 21 1. The request to file the administrative record under seal (Doc. 23) is **GRANTED**;
- 22 2. **No later than May 9, 2018**, Plaintiff **SHALL** e-mail the administrative record to
23 ApprovedSealed@caed.uscourts.gov to allow the Clerk of the Court to file it under **SEAL**. Each
24 document included in the administrative record must be submitted in PDF format. No file submitted
25 for sealing may exceed 10MB. Thus, as necessary, the administrative record may be broken up into

26 _____
27 ¹ The parties are advised that this order does not preclude the Court from issuing orders on the public docket which
28 discusses information contained in the sealed administrative record. On the other hand, the Court may issue orders
under seal temporarily and give the parties an opportunity to recommend redactions for the public version of the order.
In this event, failing to recommend redactions may result in the Court docketing the full order, which would open the
confidential information public review.

1 files not exceeding 10 MB.

2

3 IT IS SO ORDERED.

4 Dated: May 2, 2018

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28