

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

M.H., by and through his Guardian ad
Litem, TIFFANY ARTERBERRY, et al.,

Plaintiffs,

v.

KERN HIGH SCHOOL DISTRICT, et
al.,

Defendants.

Case No. 1:23-cv-00531-ADA-CDB

ORDER GRANTING PLAINTIFFS’
REQUEST TO SEAL

(Doc. 48)

Pending before the Court is Plaintiffs’ notice and request to seal a document, filed (Doc. 48) and emailed to the undersigned’s chambers on March 25, 2024, described as an attorney declaration containing information protected by attorney-client privilege and confidential information submitted at the Court’s direction (Doc. 43) in connection with counsel for Plaintiffs’ pending motion to be relieved as counsel of record (Doc. 42).

The Court has considered the factors set forth in *Oregonian Publ’g Co. v. U.S. Dist. Court for Dist. of Or.*, 920 F.2d 1462 (9th Cir. 1990). The Court finds that, for the reasons stated in Plaintiffs’ notice and request, sealing the declaration of counsel serves a compelling interest. The Court further finds that, in the absence of closure, the compelling interests identified by Plaintiffs would be harmed. Due to the privileged and confidential nature of the information contained throughout the declaration, the Court further finds that there are no additional alternatives to

1 sealing the declaration that would adequately protect the compelling interests identified by
2 Plaintiffs.

3 Consistent with Local Rule 141, Plaintiffs provided to chambers of the undersigned the
4 declaration sought to be sealed, which the undersigned has reviewed. *See* Local Rule 141(b) (“all
5 documents covered by the Request shall be ... e-mailed to the appropriate Judge or Magistrate
6 Judge’s proposed orders e-mail box”).

7 Accordingly, pursuant to Local Rule 141 and based upon the representations contained in
8 Plaintiffs’ notice and request, IT IS HEREBY ORDERED that the declaration of counsel for
9 Plaintiffs dated March 25, 2024, shall be SEALED until further order of this Court.

10 It is FURTHER ORDERED within five days of the date of this Order, Plaintiffs shall
11 submit a copy of this Order, the request for sealing and the document to be sealed (counsel for
12 Plaintiffs’ declaration) by email to the Operations Section of the Clerk of the Court:

13 ApprovedSealed@caed.uscourts.gov

14 IT IS SO ORDERED.

15 Dated: March 26, 2024

16 
17 _____
18 UNITED STATES MAGISTRATE JUDGE

19
20
21
22
23
24
25
26
27
28