

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

FRANK K MUBIRU,
Plaintiff,
v.
WELLS FARGO BANK, N.A.,
Defendant.

No. 1:23-CV-01597-KES-SAB
ORDER REGARDING WELLS FARGO
BANK'S REQUEST TO SEAL AND
EXTENDING DISPOSITIVE MOTION
FILING DEADLINE
(Doc. 35)

Plaintiff Frank K. Mubiru has filed this action asserting claims of negligence against Defendant Wells Fargo Bank, N.A. ("Wells Fargo"). Doc. 1. Wells Fargo requests to seal various documents on the grounds that the documents contain confidential information about plaintiff's medical history, conditions, and treatment. Doc. 35; *see Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1182 (9th Cir. 2006) (finding that sensitive personal information met the compelling reasons standard for sealing). The dispositive motion filing deadline is currently January 10, 2025. Doc. 30. The Court has reviewed Wells Fargo's notice of request to seal documents filed January 7, 2025 (Doc. 35), and the documents listed therein, which Wells Fargo provided to the Court but does not appear to have served on plaintiff.

The Court notes that Wells Fargo's certificate of service filed on January 8, 2025 (Doc. 37) indicates that it served plaintiff with the notice of request to seal documents and its

1 proposed order only on January 8, 2025. Wells Fargo’s certificate of service reflects that it
2 served plaintiff with the notice and proposed order, but not with the documents it requests to be
3 sealed, which is also required by Local Rule 141(b).

4 Given that Wells Fargo’s reason for making the request to seal is to protect the plaintiff’s
5 sensitive personal information, the Court will *sua sponte* extend the dispositive motion filing
6 deadline to permit time for Wells Fargo to serve plaintiff with the documents and for plaintiff to
7 file any objections to the sealing request. The Court finds that there is no prejudice to either party
8 from a brief extension of this deadline, including because no trial date has been set in this case.

9 Additionally, the Court notes that Wells Fargo seeks to file under seal the entirety of
10 certain documents, including its entire brief in support of its motion for summary judgment and
11 its statement of undisputed facts. However, a review of the submitted documents reveals that
12 many of the documents reference such sensitive personal information only in specific locations.
13 Therefore, in addition to its proposed filing of the full documents under seal, Wells Fargo shall
14 prepare redacted versions of the documents to be filed on the public docket, with redactions only
15 as to those portions of the filings that contain sensitive personal information. Wells Fargo shall
16 serve on plaintiff a copy of both the unredacted documents to be filed under seal and the redacted
17 versions of the documents to be filed on the public docket. Wells Fargo shall also provide such
18 documents to the Court.

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

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

Accordingly, the Court ORDERS:

1. Wells Fargo shall serve on plaintiff by overnight mail, sent by January 13, 2025, copies of both the unredacted documents to be filed under seal and the redacted versions of the documents to be filed on the public docket. Wells Fargo shall also provide a copy of such documents to the Court by email to kesorders@caed.uscourts.gov.
2. Plaintiff shall serve Wells Fargo and the Court by January 21, 2025 with any objections to Wells Fargo’s sealing request or to the proposed redactions on the versions of the documents to be publicly filed.
3. The dispositive motion filing deadline in this case is extended to three (3) days after the Court’s ruling on Wells Fargo’s sealing request.

IT IS SO ORDERED.

Dated: January 8, 2025



UNITED STATES DISTRICT JUDGE