

1 *Advanced Textile Corp.*, 214 F.3d 1058, 1067 (9th Cir. 2000).¹ The Ninth Circuit has held a party may
2 proceed with a pseudonym “in the unusual case when nondisclosure of the party’s identity is
3 necessary...to protect a person from harassment, injury, ridicule or personal embarrassment.” *Id.* at
4 1067-68 (internal quotation and citation omitted). “[A] party may preserve his or her anonymity in
5 judicial proceedings in special circumstances when the party’s need for anonymity outweighs
6 prejudice to the opposing party and the public’s interest in knowing the party’s identity.” *Id.* at 1068.
7 The decision of whether to allow a party to remain anonymous is within this Court’s discretion. *Doe*
8 *v. Kamehameha Sch.*, 596 F.3d 1036, 1042 (9th Cir. 2010). Under Federal Rule of Civil Procedure
9 5.2(e), for good cause, a court may require redaction of certain personal information from court
10 filings. Fed. R. Civ. P. 5.2(e).

11 **Discussion**

12 Plaintiff requests to proceed by the pseudonym “L.V.Q.” to protect his private health
13 information, “vulnerable immigration status,” and because this action involves allegations of sexual
14 assault. (Doc. 2 at 3).

15 From 2018 through 2022, Plaintiff was held at Mesa Verde Immigrations and Customs
16 Enforcement (“ICE”) Processing Center (“Mesa Verde”) for civil immigration detention. (Doc. 1 at
17 ¶¶ 2-3). Mesa Verde is a private immigration detention center owned and operated on behalf of ICE
18 pursuant to a federal contract by Defendant. *Id.* at ¶¶ 3, 27. Plaintiff claims during his detainment at
19 Mesa Verde, he was a victim of sexual harassment and assault. *See id.* at ¶¶ 4, 85, 98, 101-09.
20 Plaintiff asserts he is at a “high risk of serious personal embarrassment and emotional injury if he is
21 forced to proceed with his real identity.” (Doc. 2 at 4). Plaintiff also asks for anonymity as his mental
22 and physical health conditions are a principal issue in this case and his private health information will
23 be disclosed. *Id.* at 5. Separately, Plaintiff requests anonymity due to his pending immigration case,
24 which includes an application for relief under the Convention Against Torture. *Id.* at 5-6. Plaintiff
25 indicates his identity will be disclosed to Defendant during this litigation. *Id.* at 4.

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28 ¹ This presumption is loosely related to the public’s right to open courts and the right of private individuals to confront their accusers. *Doe v. Kamehameha Sch.*, 596 F.3d 1036, 1042 (9th Cir. 2010).

1 At this stage of the proceedings, the Court finds good cause to grant Plaintiff's request to
2 proceed under pseudonym and to redact Plaintiff's true name under Rule 5.2(e)(1). The Court finds
3 based on Plaintiff's allegations and concerns at issue, the need for anonymity in this case outweighs
4 countervailing considerations at this time. "Courts have generally permitted plaintiffs to proceed
5 anonymously when their claims involved allegations of sexual assault or rape." *Doe v. California*, No.
6 1:23-cv-00868-JLT-BAM (PC), 2023 WL 3996476, at *1 (E.D. Cal. Jun. 14, 2023) (citing *Doe v.*
7 *Rose*, No. CV-15-07503, 2016 WL 9137645, at *1-2 (C.D. Cal. Jun. 17, 2016) (collecting cases)); *see*
8 *A.G. v. Cnty. of Siskiyou*, No. 2:24-cv-01375 CKD, 2024 WL 2304851, at *1 (E.D. Cal. May 21,
9 2024). Likewise, private health information and immigration status can be a basis to prohibit
10 disclosure of a plaintiff's true and correct name. *Ms. R.H. v. United States*, No. 23-cv-05793, 2023
11 WL 7563749, at *1-2 (N.D. Cal. Nov. 14, 2023) (collecting cases); *Doe v. Sessions*, No. 18-0004
12 (RC), 2018 WL 4637014, at *4-5 (D.D.C. Sep. 27, 2018). However, the Court will reconsider the
13 issue should Defendant object once it has appeared in this action. *See Doe v. California*, No. 1:32-cv-
14 00869-JLT-SAB, 2023 WL 3956475, at *2 (E.D. Cal. Jun. 12, 2023).

15 **Conclusion and Order**

16 For the foregoing reasons, the Court HEREBY ORDERS:

- 17 1. Plaintiff's *ex parte* motion to proceed under pseudonym and for protective order (Doc. 2) is
18 GRANTED, subject to reconsideration following Defendant's appearance in this action;
- 19 2. Defendant shall file an opposition, objection, or statement of non-opposition to Plaintiff's *ex*
20 *parte* motion, within 14 days of responding to the complaint;
- 21 3. The parties shall refer to Plaintiff by the pseudonym L.V.Q. in all filings and public
22 proceedings; and

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4. The parties shall redact or otherwise withhold all personally identifying information, including Plaintiff's true full names, from all public filings, consistent with Federal Rule of Civil Procedure 5.2.

IT IS SO ORDERED.

Dated: June 5, 2024


UNITED STATES MAGISTRATE JUDGE