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10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE EASTERN DISTRICT OF CALIFORNIA
 12 SACRAMENTO DIVISION

14 **RALPH COLEMAN, et al.,**
 15
 16 Plaintiffs,
 17
 18 **GAVIN NEWSOM, et al.,**
 19 Defendants.

Case No. 2:90-cv-00520 KJM-DB (PC)

**STIPULATION AND ORDER
 GRANTING DEFENDANTS' REQUEST
 TO FILE SUICIDE REPORTS UNDER
 SEAL PURSUANT TO LOCAL RULE
 141**

Judge: The Hon. Kimberly J. Mueller

22 On July 25, 2022, the court adopted in full the California Department of Corrections and
 23 Rehabilitation Annual Suicide Report Proposal for Assuming the Annual Suicide Monitoring
 24 Report. (ECF No. 7574 and ECF No. 7592.) As required by the proposal, the California
 25 Department of Corrections and Rehabilitation (CDCR) filed its 2021 Report on Suicides in
 26 CDCR on September 29, 2022. (ECF No. 7615.) The proposal also requires CDCR to submit the
 27 individual suicide reports for suicides completed in 2021 to the Special Master and Plaintiffs
 28 under separate cover and conditionally lodge them under seal. (ECF No. 7574 at 15.)

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REQUEST TO SEAL DOCUMENTS

Under Local Rule 141, documents may be filed under seal only by written order of the court upon the showing required by applicable law. A party seeking to seal a document must submit a request to the court indicating the statutory or other authority for sealing. The court may properly seal records from disclosure to the public if the party submitting the records articulates compelling reasons to do so. *Kamakana v. City & Cnty. Of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006). On February 25, 2020, this Court ordered that “[t]he provisions of Local Rule 141(c) notwithstanding, all requests to seal documents shall be accompanied by a stipulation of all counsel consenting to the sealing request. (Protective Order, ECF No. 6482.)

Defendants request that the Court seal the fifteen individual suicide reports, 446 pages in total, attached as Exhibits A through O to the enclosed letter from CDCR, that, as required under the proposal, have been submitted to the Special Master and Plaintiffs under separate cover. (ECF No. 7574 at 15.) Defendants request, and Plaintiffs agree, that these documents be filed under seal because they contain identifying information that is sensitive, private, confidential, and subject to the protective order entered in this action on February 25, 2020. (Protective Order, ECF No. 6482.) The fifteen suicide reports were provided to the Court by electronic mail concurrently with the submission of this stipulation and [proposed] order.

If the Court approves this stipulated request to file under seal, Defendants will file the letter and reports in sealed form to protect the privacy of the inmates referenced in the reports.

In light of the foregoing, the parties request that the Court seal the fifteen individual suicide reports indefinitely, and that only the Court, authorized court personnel, Plaintiffs’ counsel, Defendants, and Defendants’ counsel be permitted access to these documents. Nothing in this stipulation is intended to modify the Parties’ rights to use the information in the fifteen individual suicide reports in a manner consistent with the protective orders applicable in this case.

IT IS SO STIPULATED.

1 DATED: October 5, 2022

ROB BONTA
Attorney General of California
DAMON McCLAIN
Supervising Deputy Attorney General

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3
4 By: /s/ Elise Owens Thorn

5 ELISE OWENS THORN
6 Deputy Attorney General

7 *Attorneys for Defendants*

8
9 DATED: October 5, 2022

Respectfully submitted,

10 ROSEN BIEN GALVAN & GRUNFELD LLP

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12 By: /s/ Michael Nunez

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14 *Attorneys for Plaintiffs*

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16 **ORDER**

17 The Court, having considered Defendants' request and the parties' stipulation, and
18 good cause appearing, hereby grants Defendants' request to file the individual suicide
19 reports under seal, ECF No. 7619. The Clerk of the Court shall file the individual suicide
20 reports under seal nunc pro tunc to October 5, 2022.

21 **IT IS SO ORDERED.**

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24 **DATED:** November 16, 2023.

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26 
27 CHIEF UNITED STATES DISTRICT JUDGE
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