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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
 20 Defendants.

Case No. 2:90-cv-00520 KJM-DB (PC)
**STIPULATION AND ORDER
 GRANTING DEFENDANTS' REQUEST
 TO FILE 2022 SUICIDE REPORTS
 UNDER SEAL PURSUANT TO LOCAL
 RULE 141**
 Judge: The Hon. Kimberly J. Mueller

21 On July 25, 2022, the court adopted in full the California Department of Corrections and
 22 Rehabilitation's (CDCR) Annual Suicide Report Proposal for Assuming the Annual Suicide
 23 Monitoring Report. (ECF No. 7574 and ECF No. 7592.) As required by the proposal, CDCR
 24 filed its 2022 Report on Suicides on October 24, 2023. (ECF No. 8027.) The proposal also
 25 requires CDCR to submit the individual suicide reports for suicides completed in 2022 to the
 26 Special Master and Plaintiffs under separate cover and conditionally lodge them under seal. (ECF
 27 No. 7574 at 15.) Defendants therefore submit this request consistent with their proposal.
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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 at 3.)

Defendants request that the Court seal the nineteen individual suicide reports, 567 pages in total, attached as Exhibits A through S to the enclosed letter from CDCR, that were submitted to the Special Master and Plaintiffs under separate cover, as required under the proposal. (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 nineteen 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 incarcerated persons referenced in the reports.

In light of the foregoing, the parties request that the Court seal the nineteen 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 nineteen individual suicide reports in a manner consistent with the protective orders applicable in this case.

IT IS SO STIPULATED.

1 DATED: November 27, 2023

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

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By: /s/ Elise Owens Thorn

ELISE OWENS THORN
Deputy Attorney General

Attorneys for Defendants

DATED: November 27, 2023

Respectfully submitted,

ROSEN BIEN GALVAN & GRUNFELD LLP

By: /s/ Michael Nunez

Attorneys for Plaintiffs

ORDER

The Court, having considered Defendants’ request and the parties’ stipulation, and good cause appearing, hereby grants Defendants’ request to file the individual suicide reports under seal.

IT IS SO ORDERED.

DATED: November 29, 2023.



CHIEF UNITED STATES DISTRICT JUDGE