

1 memoranda dated September 28, 2009, and February 2, 2010, respectively). On February 18,
2 2015, defendants filed notice that they have served plaintiff with the Request to File Documents
3 Under Seal, proposed order, and a redacted version of Exhibit I (confidential memorandum dated
4 May 11, 2009).

5 While defendants' concerns regarding Exhibits J and K are valid, the court believes that
6 these concerns can be addressed by redaction. Although proposed redacted copies of the exhibits
7 have not been provided to the court, defendants' response indicates that they understood the court
8 to contemplate only redaction of inmate names and identification numbers. The court recognizes
9 that such limited redaction may be insufficient to address valid security considerations. However,
10 the directive to redact was not intended to be interpreted so narrowly.

11 Upon review of the record and Exhibits J and K, it appears that the confidential
12 memoranda can be redacted so that they protect sensitive information while documenting the
13 basic facts which have already been disclosed to plaintiff in the defendants' summary-judgment
14 motion and accompanying statement of undisputed facts. Defendants will be ordered to show
15 cause why they should not serve plaintiff with the redacted versions of Exhibits J and K attached
16 to this order as Attachment 1 (under seal).¹ Defendants may discharge the order to show cause by
17 filing notice that they have served plaintiff with the redacted exhibits, and by filing a copy of the
18 redacted Exhibits J and K in support of their summary judgment motion. If defendants seek
19 additional redaction or believe that no level of redaction would be sufficient to remove the risk,
20 they shall show cause in writing within ten days. Such a response may be submitted ex parte and
21 via email.

22 Accordingly, IT IS HEREBY ORDERED that:


23 1. The Clerk of the Court is directed to file Attachment 1 to this order under seal. The
24 Clerk of the Court is further directed to mail a copy of Attachment 1 to counsel for the defendants
25 only.

26 2. Within ten days of the filing of this order, the defendants shall show cause why they
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28 ¹ The sealed exhibit will be provided only to defendants.

1 should not serve plaintiff with the redacted copies of Exhibits J and K (confidential memoranda
2 dated September 28, 2009, and February 2, 2010, respectively) filed here as Attachment 1 (under
3 seal). Defendants may submit their response via email. In the alternative, defendants may
4 discharge the order to show cause by filing notice that they have served plaintiff with the redacted
5 exhibits, and by filing a copy of the redacted Exhibits J and K in support of their summary
6 judgment motion.

7 DATED: February 19, 2015

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10 ALLISON CLAIRE
11 UNITED STATES MAGISTRATE JUDGE
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