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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JANELLE PEREZ,

Plaintiff,

v.

CITY OF ROSEVILLE; ROSEVILLE
POLICE DEPARTMENT; CHIEF
DANIEL HAHN, an individual;
CAPTAIN STEPHAN MOORE, an
individual; and LIEUTENANT
CAL WALSTAD, an individual;

Defendants.

No. 2:13-cv-02150-GEB-DAD

**ORDER DENYING PLAINTIFF'S
SEALING REQUEST**

On April 29, 2015, Plaintiff submitted for in camera consideration a Request to Seal Documents, a proposed sealing order, and seventy pages of documents sought to be sealed. Plaintiff references the documents requested to be sealed in a publicly filed Notice of Request to Seal Documents as "[a]dditional excerpts from the Deposition of Daniel Hahn; [a]dditional excerpts from the Deposition of Stefan Moore; [and] Doe #3's field training evaluations, specifically, 'Roseville 1077-1134'." (Pl.'s Notice Req. Seal 2:1-4, ECF No. 45 (organizational lettering omitted).) Plaintiff desires to use the referenced documents in support of her opposition to Defendants' pending summary judgment motion and argues in support of her sealing request as follows:

1 [Plaintiff's] documents . . . contain
2 personnel and training information of current
3 and former City of Roseville Personnel. These
4 individuals have a privacy interest in their
5 personnel records, which are confidential and
6 shielded from disclosure under California
state law, as well as the federal common law
official information privilege. Pursuant to
such, the privacy rights of these
individuals, and their records, outweigh
public disclosure.

7 (Id. at 1:24-28.) Plaintiff further argues in her sealing request
8 that "[t]here is no interest in public disclosure here, as none
9 of the affected individuals are parties or otherwise involved in
10 the instant lawsuit[,]” and “[t]he only relevance of the
11 [referenced] records is that they evidence examples of when other
12 male officers were treated more favorably than [P]laintiff.”
13 (Pl.’s Req. Seal 2:28-3:3.)

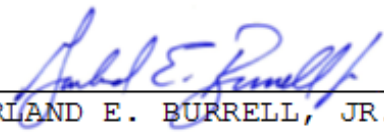
14 This sealing request is overbroad since Plaintiff has
15 not shown why targeted redactions, and possibly the use of
16 pseudonyms, would not adequately protect the privacy interests of
17 each referenced individual. Sims v. Lakeside Sch., No. C06-
18 1412RSM, 2007 WL 4219347, at *2 (W.D. Wash. Nov. 28, 2007)
19 (indicating that a privacy interest can be addressed “not only by
20 redacting . . . names, but also by replacing those names with
21 pseudonyms” where the need for anonymity has been shown). Because
22 of the strong presumption of access to [court] records, . . .
23 [s]ealing orders . . . must be narrowly tailored.” Perry v. City
24 & Cnty. of S.F., No. 10-16696, 2011 WL 2419868, at *21 (9th Cir.
25 2011). Therefore, “any interest justifying closure must be
26 specified with particularity, and there must be [a showing] that
27 the [sealing requested] is narrowly confined to protect that
28 interest.” Id. (internal quotation marks, citation, and emphasis

1 omitted). "For this reason, any sealing order must . . . use less
2 restrictive alternatives that do not completely frustrate the
3 public's . . . right[] of access." Id. For example, "[i]n many
4 cases, courts can accommodate [privacy] concerns by redacting
5 sensitive information rather than [sealing] the materials
6 entirely." United States v. Bus. of Custer Battlefield Museum &
7 Store, 658 F.3d 1188, 1195 n.5 (9th Cir. 2011); see also Press-
8 Enterprise Co. v. Sup. Ct., 464 U.S. 501, 513 (1984) ("Those
9 parts of the transcript reasonably entitled to privacy could have
10 been sealed without such a sweeping order").

11 Here, Plaintiff has failed to identify with the
12 required particularity precisely which portion of each document
13 is actually confidential and needs to be redacted. See, e.g.,
14 E.D. Cal. R. 140(b) ("When counsel seeks to submit protected
15 information, a[n] . . . order authorizing redaction should be
16 sought," and counsel may submit both redacted and unredacted
17 documents for in camera review). Rather, Plaintiff in essence
18 invites the Court to guess which portion(s) of the referenced
19 documents she opines must redacted to protect privacy interests.

20 Therefore, Plaintiff has not satisfied the applicable
21 sealing standard, and her sealing request is denied.

22 Dated: April 30, 2015

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26 GARIAND E. BURRELL, JR.
27 Senior United States District Judge
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