

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

IN RE JPMORGAN CHASE
DERIVATIVE LITIGATION

No. 2:13-cv-02414-KJM-EFB

ORDER

On April 4, 2016, the plaintiffs filed a first amended complaint in this action. ECF No. 116. Several of its paragraphs were redacted, and several exhibits filed *in camera* with a request they and an unredacted complaint be filed under seal. ECF No. 117.

Local Rule 141 provides that documents may be sealed only by a written order of the court after a particularized request to seal has been made. E.D. Cal. L.R. 141(a). A mere request to seal is not enough under the local rules. Local Rule 141(b) expressly requires that “[t]he ‘Request to Seal Documents’ shall set forth the statutory or other authority for sealing, the requested duration, the identity, by name or category, of persons to be permitted access to the document, and all relevant information.” In addition, this court’s standing orders, available on the court’s website and filed at the outset of this action provide, “The court will only consider requests to seal or redact filed by the proponent of sealing or redaction. If a party plans to make a filing that includes material an opposing party has identified as confidential and potentially subject to sealing, the filing party shall provide the opposing party with sufficient notice in

1 advance of filing to allow for the seeking of an order of sealing or redaction from the court.”
2 Standing Order 6, ECF No. 3-1.

3 The plaintiffs’ request to seal includes no statement of authority or reasons and
4 was not filed by ostensible proponents of sealing—the defendants. The request is therefore
5 DENIED.

6 To allow the defendants time to request the sealing or redaction of confidential or
7 private information within the bounds specified by the Ninth Circuit, *see, e.g., Kamakana v. City*
8 *and County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006), the court orders as follows:

9 (1) As soon as possible, plaintiffs shall serve unredacted copies of the materials
10 that are the subject of their request to seal and redact, if they have not done so already;

11 (2) Defendants may file a request to seal within fourteen days; and

12 (3) During this time and during the pendency of any request to seal, the documents
13 in question will remain temporarily sealed, and the redacted amended complaint will remain
14 temporarily operative.

15 IT IS SO ORDERED.

16 DATED: April 14, 2016

17
18 
19
20
21
22
23
24
25
26
27
28
UNITED STATES DISTRICT JUDGE