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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
STATE OF CALIFORNIA, ex rel.  
DEBBIE G. RINEHART,

Plaintiffs,

v.

WALGREEN CO.,

Defendant.

No. 2:14-cv-0148 KJM EFB

ORDER

In its prior order unsealing the complaint and notice of intervention in this case, the court explained “all other previously-filed contents of the Court’s file in this action remain under seal and [shall] not be made public, or served upon defendant, pending further order of the Court.” ECF No. 57. The court here revisits whether to unseal the balance of the docket in this case.

Generally, “lifting the seal on the entire record is appropriate unless the government shows that such disclosure would: (1) reveal confidential investigative methods or techniques; (2) jeopardize an ongoing investigation; or (3) harm non-parties.” *U.S. ex rel. Lee v. Horizon Wests, Inc.*, No. C 00-2921 SBA, 2006 WL 305966, at \*2 (N.D. Cal. Feb. 8, 2006). “[I]f the documents simply describe routine or general investigative procedures, without implicating

1 specific people or providing substantive details, then the Government may not resist disclosure.”  
2 *Id.*; see *United States v. CACI Int’l. Inc.*, 885 F. Supp. 80, 83 (S.D.N.Y. 1995). “The Qui Tam  
3 statute evinces no specific intent to permit or deny disclosure of in camera material as a case  
4 proceeds.” *United States ex rel. Mikes v. Straus*, 846 F. Supp. 21, 23 (S.D.N.Y. 1994). “[T]he  
5 statute necessarily invests the court with authority to preserve secrecy of such items or make them  
6 available to the parties.” *Id.* at 23. The court should also consider the public’s interest because  
7 court records are generally open to the public. *United States ex rel. Costa v. Baker & Taylor,*  
8 *Inc.*, 955 F. Supp. 1188, 1191 (N.D. Cal. 1997).

9           The United States’ request to keep the balance of the docket under seal provides  
10 minimal explanation. ECF No. 53. In particular, the United States has not provided an  
11 explanation of how disclosure of all the materials in the case file would be harmful. Such harm is  
12 not clear from the court’s review of the file either. The United States has not suggested any  
13 governmental privilege exists, or pointed to any harm to ongoing investigations. See *United*  
14 *States ex rel. Lee*, 2006 WL 305966, at \*3.

15           Given the general nature of these documents, the court tentatively finds it  
16 unnecessary for any part of the case to remain sealed. Within fourteen (14) days of this order,  
17 any party may SHOW CAUSE, if any there is, as to why the balance of the documents of record  
18 in this action should not be unsealed.

19           IT IS SO ORDERED.

20           DATED: May 15, 2017.

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23 UNITED STATES DISTRICT JUDGE  
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