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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

T.V. and A.V. by and through their guardians, Will Valerio and Jackie Valerio, and Will Valerio and Jack Valerio, individually, D.S. by and through her guardian Arthur Aleman, I.M. by and through her guardians, Jorge Maranon and Isabella Maranon, Jorge Maranon and Isabella Maranon individually, D.S. by and through his guardians Adrian Sanchez and Stephanie Sanchez, J.S. by and through David Schnetz and Amy Schnetz, A.S. by and through her guardian Stacey Swift,  
  
Plaintiffs,  
  
v.  
  
SACRAMENTO CITY UNIFIED SCHOOL DISTRICT,  
  
Defendant.

No. 2:15-cv-00889-KJM-AC

ORDER

Plaintiffs I.M., T.V. and A.V. have filed a request to seal its ex parte application. For the foregoing reasons, the court GRANTS the request in part and DENIES it in part.

“[T]he courts of this country recognize a general right to inspect and copy public records and documents, including judicial records and documents.” *Nixon v. Warner Communications*, 435 U.S. 589, 597 (1978). While “the right to inspect and copy judicial records

1 is not absolute,” access in civil cases is properly denied for clearly justifiable reasons: to protect  
2 against ““gratif[ication of] private spite or promot[ion of] public scandal,”” or to preclude court  
3 dockets from becoming “reservoirs of libelous statements,” or “sources of business information  
4 that might harm a litigant’s competitive standing.” *Id.* at 598. As the Ninth Circuit instructs, a  
5 “strong presumption in favor of access” to the record governs in a court of law unless the case or  
6 a part of it qualifies for one of the relatively few exceptions “traditionally kept secret,” with  
7 secrecy allowed for good reasons. *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135  
8 (9th Cir. 2003). “Those who seek to maintain the secrecy of documents attached to dispositive  
9 motions must meet the high threshold of showing that ‘compelling reasons’ support secrecy.”  
10 *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (citing *Foltz*,  
11 331 F.3d at 1136). The compelling-reasons standard applies even if contents of the dispositive  
12 motion or its attachments have previously been filed under seal or are covered by a generalized  
13 protective order, including a discovery phase protective order. *See Foltz*, 331 F.3d at 1136.

14           The Eastern District of California has adopted rules to clarify procedures for  
15 parties’ compliance with the law reviewed above. Local Rule 141 provides that documents may  
16 be sealed only by a written order of the court after a particularized request to seal has been made.  
17 E.D. Cal. L.R. 141(a). A mere request to seal is not enough under the local rules. Local Rule  
18 141(b) expressly requires that “[t]he ‘Request to Seal Documents’ shall set forth the statutory or  
19 other authority for sealing, the requested duration, the identity, by name or category, of persons to  
20 be permitted access to the document, and all relevant information.”

21           Plaintiffs argue that it is necessary to seal the ex parte application at issue because  
22 it includes the full names of minors. *See* L.R. 140. Plaintiffs have not met their burden of  
23 showing why the applications must be sealed rather than filed publicly with the minors’ names  
24 redacted.

25           The clerk of the court is DIRECTED to file the ex parte application under seal for  
26 7 days only. The request to seal for a period longer than 7 days is DENIED. The court authorizes  
27 plaintiffs to file the ex parte application with the minors’ names redacted, should they choose to  
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1 re-file the application on the public docket. *See* L.R. 140 (requiring authorization from the court  
2 for redactions).

3                   Upon filing of the redacted application, the court will issue the requested orders,  
4 redacting full names from the orders and filing under seal orders showing the full names.

5                   IT IS SO ORDERED.

6 DATED: March 15 2019.

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UNITED STATES DISTRICT JUDGE