



1 must normally meet the high threshold of showing that “compelling reasons” support secrecy. Id.  
2 (citing Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1178 (9th Cir. 2006)).

3 However, where the material is, at most, “tangentially related to the merits of a case,” the request  
4 to seal may be granted on a showing of “good cause.” Id. at 1097-1101.

5 Here, the material at issue is at most tangentially related to the merits of this case, as the  
6 documents plaintiff seeks to have filed under seal concern plaintiff’s request for the appointment  
7 of counsel. Moreover, the undersigned finds good cause to file the documents under seal as the  
8 documents concern plaintiff’s sensitive financial information. Accordingly, plaintiff’s request to  
9 file documents under seal will be granted.

10 However, with respect to plaintiff’s request for the appointment of counsel, plaintiff is  
11 informed that federal district courts lack authority to require counsel to represent indigent  
12 plaintiffs in civil cases. See Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). The  
13 court may request the voluntary assistance of counsel under the federal in forma pauperis statute,  
14 but only under exceptional circumstances. See 28 U.S.C. § 1915(e)(1); Terrell v. Brewer, 935  
15 F.2d 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990).  
16 The test for exceptional circumstances requires the court to evaluate the plaintiff’s likelihood of  
17 success on the merits and the plaintiff’s ability to articulate his or her claims. See Wilborn v.  
18 Escalderon, 789 F.2d 1328, 1331 (9th Cir. 1986); Weygandt v. Look, 718 F.2d 952, 954 (9th Cir.  
19 1983).

20 Here, plaintiff’s application to proceed in forma pauperis was denied and plaintiff has paid  
21 the applicable filing fee. (ECF No. 3.) Moreover, at this stage of the proceedings, the  
22 undersigned finds that plaintiff’s likelihood of success on the merits and ability to articulate her  
23 claims does not satisfy the test for exceptional circumstances. Accordingly, plaintiff’s request for  
24 the appointment of counsel will be denied.

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Accordingly, for the reasons stated above, IT IS HEREBY ORDERED that:

1. Plaintiff's July 20, 2017 request to file documents under seal (ECF No. 68) is granted;
- and
2. Plaintiff's July 20, 2017 request for the appointment of counsel (ECF No. 68) is denied.

Dated: August 11, 2017



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DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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