



1 governed by E.D. Cal. R. (“Local Rule”) 141. In brief, Local Rule 141 provides that  
2 documents may only be sealed by a written order of the court after a specific request to  
3 seal has been made. Local Rule 141(a). However, a mere request to seal is not enough  
4 under the local rules. In particular, Local Rule 141(b) requires that “[t]he ‘Request to Seal  
5 Documents’ shall set forth *the statutory or other authority for sealing*, the requested  
6 duration, the identity, by name or category, of persons to be permitted access to the  
7 document, and all relevant information.” Local Rule 141(b) (emphasis added).

- 8 3. A request to seal material must normally meet the high threshold of showing that  
9 “compelling reasons” support secrecy; however, where the material is, at most,  
10 “tangentially related” to the merits of a case, the request to seal may be granted on a  
11 showing of “good cause.” Ctr. for Auto Safety v. Chrysler Grp., LLC, 809 F.3d 1092,  
12 1096-1102 (9th Cir.), cert. denied, 137 S. Ct. 38 (2016); Kamakana v. City and County of  
13 Honolulu, 447 F.3d 1172, 1178-80 (9th Cir. 2006).
- 14 4. Nothing in this order shall limit the testimony of parties or non-parties, or the use of  
15 certain documents, at any court hearing or trial – such determinations will only be made  
16 by the court at the hearing or trial, or upon an appropriate motion.
- 17 5. With respect to motions regarding any disputes concerning the stipulated protective order  
18 which the parties cannot informally resolve, including any disputes regarding  
19 inadvertently produced materials under Fed. R. Evid. 502, the parties shall follow the  
20 procedures outlined in Local Rule 251. Absent a showing of good cause, the court will  
21 not hear discovery disputes on an *ex parte* basis or on shortened time.
- 22 6. The parties may not modify the terms of this Protective Order without the court’s  
23 approval. If the parties agree to a potential modification, they shall submit a stipulation  
24 and proposed order for the court’s consideration.
- 25 7. Pursuant to Local Rule 141.1(f), the court will not retain jurisdiction over enforcement of  
26 the terms of this Protective Order after the action is terminated.
- 27 8. Any provision in the parties’ stipulation (ECF No. 11, Exh. A) that is in conflict with  
28 anything in this order is hereby DISAPPROVED. This includes the stipulation’s

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reference at ¶ 6.3 to “Civil Local Rule 230.” Motions challenging the confidentiality designation, like other discovery motions, shall be brought under Local Rule 251.

DATED: January 26, 2017

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE