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11 Attorneys for Plaintiff Pet Food Express Ltd.

12 [Additional counsel listed on signature page]

13 **IN THE UNITED STATES DISTRICT COURT**
 14 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

15
 16 SHASTA LINEN SUPPLY, INC.,
 17 individually and on behalf of all others
 similarly situated,

18 Plaintiff,

19 vs.

20
 21 APPLIED UNDERWRITERS, INC.,
 APPLIED UNDERWRITERS
 22 CAPTIVE RISK ASSURANCE, INC.,
 CALIFORNIA INSURANCE
 23 COMPANY, INC., and APPLIED
 24 RISK SERVICES, INC.,

25 Defendants.

Case No. 2:16-cv-00158-WBS-AC

STIPULATION AND ORDER FOR FILING
DOCUMENTS UNDER SEAL AND REDACTED
DOCUMENTS

26
 27 PET FOOD EXPRESS LTD.,
 28 individually and on behalf of all others
 similarly situated,

1 Plaintiff,
2 vs.
3 APPLIED UNDERWRITERS, INC.,
4 APPLIED UNDERWRITERS
5 CAPTIVE RISK ASSURANCE, INC.,
6 and CALIFORNIA INSURANCE
7 COMPANY, INC.,
8 Defendants.

Case No. 2:16-cv-01211-WBS-AC

**STIPULATION AND ORDER FOR
FILING DOCUMENTS UNDER SEAL
AND REDACTED DOCUMENTS**

**STIPULATION AND [PROPOSED] ORDER FOR FILING DOCUMENTS UNDER
SEAL AND REDACTED DOCUMENTS**

9
10 Whereas, there are two related class action lawsuits filed in this district, *Pet Food Express Ltd.*
11 *v. Applied Underwriters, Inc.*, Case No. 2:16-cv-0211-WBS-AC and *Shasta Linen Supply, Inc. v.*
12 *Applied Underwriters, Inc.*, Case No. 2:16-cv-00158-WBS-AC; both actions are putative class actions
13 involving the same parties and similar claims;
14

15 Whereas, on July 6, 2017, pursuant to stipulation, the Court issued an order consolidating the
16 two actions (ECF Doc. 58);

17 Whereas, on February 6, 2017, the Court issued a Protective Order concerning documents and
18 deposition testimony in this matter (ECF Doc. 48);

19 Whereas, on February 22, 2018, the Court issued a case management order requiring motions
20 for class certification to be filed by July 19, 2018 (ECF Doc. 88);

21 Whereas, on July 17, 2018, the Court issued an Order modifying the previous schedule to
22 allow Plaintiffs to file their motions for class certification on or before July 26, 2018 (ECF Doc. 97);

23 Whereas, such motion for class certification will include exhibits and deposition transcripts
24 that are covered by the Protective Order and that are entitled to be filed under seal under applicable
25 law;

26 IT IS HEREBY STIPULATED by the parties, through their counsel of record, that:
27

- 1 1. The parties do hereby consent to the Plaintiffs’ application to file documents under seal for
2 documents which are part of their motion for class certification, pursuant to LR 141;
- 3 2. The parties do hereby consent to redaction to the plaintiffs’ Memorandum of Law of any
4 citations, references, or quotations of any sealed documents and/or transcripts which are
5 included in their motion for class certification, pursuant to LR 140;
- 6
7 3. Simultaneously with the motion for class certification, the plaintiffs shall file a motion to file
8 under seal and/or redaction, pursuant to LR 140 and 141, and shall provide unredacted copies
9 of all such motion papers and exhibits to the Court and opposing counsel of both the motion for
10 class certification and the motion to file under seal and redaction. Pursuant to the Part Rules,
11 sealed documents will be provided to the Court via: ApprovedSealed@caed.uscourts.gov. The
12 sealed exhibits to class certification shall not be uploaded to ECF, pending a determination by
13 the Court on the Plaintiffs’ application to file under seal and redaction, but the exhibits
14 uploaded to ECF as part and parcel of the motion for class certification shall state, “*application*
15 *to seal exhibit pending*”.
- 16

17 Dated: July 24, 2018

Respectfully submitted,

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Attorneys for Defendants Applied Underwriters, Inc. et al

1
2 **SIGNATURE ATTESTATION**

3 I, Kevin Page, am the ECF user whose identification and password are being used to file
4 this Stipulation and [Proposed] Order Modifying Scheduling Order. In compliance with Local
5 Rules, I hereby attest that all party signatories hereto concur in this filing.

6
7 /s/ Kevin Page

8 KEVIN PAGE
9
10

11 **ORDER**

12 The court expresses no opinion as to whether it will allow any particular document to be
13 sealed. Any request to seal must comply with the requirements set forth by, inter alia, Kamakana
14 v. City & County of Honolulu, 447 F.3d 1172, 1178 (9th Cir. 2006), and “articulate compelling
15 reasons supported by specific factual findings that outweigh the general history of access and the
16 public policies favoring disclosure, such as the public interest in understanding the judicial
17 process.” Id. at 1178-79 (citations omitted).

18 IT IS SO ORDERED.

19 Dated: July 25, 2018

20 

21 WILLIAM B. SHUBB
22 UNITED STATES DISTRICT JUDGE
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