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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EFRIM RENTERIA and TALISHA
RENERIA,

Plaintiffs,

v.

REGINA CUELLAR,

Defendant.

No. 2:16-cv-01685-MCE-AC

ORDER

Plaintiffs initially brought this action against the Shingle Springs Band of Miwok Indians, its Tribal Council, its Tribal Court, Christine Williams in her official capacity as the Tribal Court judge, and Regina Cuellar in both her official capacity as a member of the Tribal Council and in her individual capacity as the appointed guardian of Plaintiffs' three minor nieces. Plaintiffs sought to prevent the enforcement of the Tribal Court's June 3, 2016 Order appointing Cuellar as the legal guardian of the minors. After the Court declined to exercise jurisdiction over the Tribal Defendants due to concerns of sovereign immunity, the case proceeded against Cuellar in her individual capacity. Shortly thereafter, the Court granted Cuellar's motion to dismiss for mootness, and the case was closed.

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1 Because of this language, the Court understands Defendant’s desire to unseal
2 certain documents for use in connection with the superior court evidentiary hearing.
3 Nevertheless, the Court is loath to unseal the record because, as Defendant has pointed
4 out, the identities of the minors and other facts surrounding this case have thus far been
5 protected, and the parties themselves request that such protection continue. Unsealing
6 the record would make these documents not only available for use in the evidentiary
7 hearing, but would make them available to the general public. Certainly that is not the
8 desired result.

9 Moreover, the Court is not convinced that documents sealed in one court for
10 purposes of one case are not able to be produced and used by the parties to another
11 case in another court (though perhaps such documents should be filed under seal or
12 produced under a protective order in that court as well). See Blight v. City of Manteca,
13 No. 2:15-cv-2513-WBS-AC, 2016 WL 6599814, at *3–4 (E.D. Cal. Nov. 7, 2016) (sealing
14 order “allows the parties to file a document with the court without concern that the
15 public’s First Amendment right to view judicial documents will enable that physical
16 document to be viewed by the public”). In any event, to the extent the language of the
17 Sealing Order purports to extend protection of the sealed documents outside the context
18 of the case before this Court, the Court hereby supplements that Order to provide the
19 following additional parties with access to the sealed record for the duration of the
20 superior court case: (1) the Superior Court of Tulare County, (2) any consultant hired by
21 either party to this (now closed) federal litigation, and (3) any expert hired by any party to
22 this litigation.

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1 **CONCLUSION**

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3 For the reasons set forth above, Defendant's unopposed Motion to Unseal, ECF

4 No. 98, is DENIED. The Court's Sealing Order, ECF No. 6, shall be supplemented such

5 that the Superior Court of Tulare County, any consultant hired by either party to this

6 federal litigation, and any expert hired by any party to this litigation, shall be permitted

7 access to the sealed record. Not later than ten (10) days from the date of any

8 disclosure, the parties are further ordered to notify this Court in writing of the names of

9 those persons to whom sealed documents have been provided, exclusive of Tulare

10 County Superior Court personnel.

11 IT IS SO ORDERED.

12 Dated: August 28, 2017

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14 MORRISON C. ENGLAND, JR.
15 UNITED STATES DISTRICT JUDGE

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