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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF CALIFORNIA  
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9 FEDERAL ENERGY REGULATORY  
10 COMMISSION,  
11 Petitioner,  
12 v.  
13 ETRACOM LLC; and MICHAEL  
14 ROSENBERG,  
15 Respondents.  
16

No. 2:16-cv-01945-SB

**ORDER GRANTING  
RESPONDENTS' UNOPPOSED  
MOTION ON SEALING  
REQUEST PROCEDURES**

17 Before the Court is Respondents' Unopposed Motion on Sealing Request  
18 Procedures, ECF No. 28. Respondents seek an Order approving their proposed  
19 sealing request procedures in order to facilitate fact discovery in this matter. The  
20 Court finds good cause to **grant** the motion.

21 Accordingly, **IT IS HEREBY ORDERED:**

22 1. Respondents' Unopposed Motion on Sealing Request Procedures, ECF  
23 No. 28, is **GRANTED**.

24 2. The following procedures on sealing requests shall govern this action:

25 (a) Scope of this Order. The parties have separately agreed to procedures for  
26 designating and handling confidential information during the discovery process,  
27 and anticipate doing the same with third parties. The stipulated procedures set  
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**ORDER GRANTING RESPONDENTS' UNOPPOSED MOTION ON  
SEALING REQUEST PROCEDURES + 1**

1 forth in this Order address requests to file documents (or portions thereof) under  
2 seal.

3 (b) General. As set forth in Local Rule 141, no document may be filed under  
4 seal except by court order. Any sealing request must be narrowly tailored to seek  
5 sealing only of material that satisfies applicable legal standards. Per Local Rule  
6 141(e)(2)(i), documents approved by the court for filing under seal must be  
7 submitted by email to [ApprovedSealed@caed.uscourts.gov](mailto:ApprovedSealed@caed.uscourts.gov).

8 (c) Courtesy Copies to Chambers. A party seeking to file documents (or  
9 portions thereof) under seal must provide a courtesy copy of both the redacted and  
10 the unredacted versions of the documents to the Court by email to  
11 [bastianorders@waed.uscourts.gov](mailto:bastianorders@waed.uscourts.gov).

12 (d) Requests for sealing of materials that the submitting party contends  
13 warrant non-public status. Per Local Rule 141, a party seeking to file documents  
14 (or portions thereof) under seal that the filing party has designated as confidential  
15 must submit a “Notice of Request to Seal Documents,” a “Request to Seal  
16 Documents,” a proposed order, and all documents covered by the request.

17 (e) Requests for sealing of materials that a different party (or third party)  
18 contends warrant non-public status. If a party seeks to file under seal materials  
19 designated as confidential by an opposing party or a third party (the “Designating  
20 Entity”), the submitting party must file a “Notice of Request to Seal Documents  
21 Designated as Confidential By [Designating Entity],” a “Request to Seal  
22 Documents Designated as Confidential By [Designating Entity],” and all  
23 documents covered by the request. Both the redacted and the unredacted versions  
24 of the documents shall be labelled “CONTAINS MATERIAL DESIGNATED AS  
25 CONFIDENTIAL BY [Designating Entity].” The filing must be served on the  
26 Designating Entity on the day it is filed. Within seven days thereafter, the  
27 Designating Entity must file a request under Rule 141 to seal the pertinent  
28 material.

1 (f) Public Filing of Redacted Copies. A party must file publicly a redacted  
2 version of any documents for which sealing is sought. The redacted version shall  
3 prominently include the following legend on the first page: “REDACTED  
4 VERSION OF DOCUMENT(S) SOUGHT TO BE SEALED” or “REDACTED  
5 VERSION OF DOCUMENT(S) SOUGHT TO BE SEALED BY  
6 [DESIGNATING ENTITY].”

7 (g) Efforts to Minimize Requests for Sealing. The parties agree that, when  
8 they expect to make a filing that includes material that another party (or a third  
9 party) has designated as confidential, they will make good faith efforts, to the  
10 extent practicable, to consult with the Designating Entity to minimize or eliminate  
11 the sealing request.

12 **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
13 file this Order and provide copies to counsel.

14 **DATED** this 14th day of June, 2017.

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18 Stanley A. Bastian

19 United States District Judge  
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