Alvarado et al v. Fedex Corporation

v. Fec	ex Corporation				Doc. 1				
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1	FEDERAL EXPRESS CO	ORPORATION							
2	Frederick L. Douglas (Admitted <i>Pro Hac Vice</i>) David A. Billions (Admitted <i>Pro Hac Vice</i>)								
3	Barak J. Babcock (Admitted <i>Pro Hac Vice</i>) 3620 Hacks Cross Road - Building B, 2nd Floor								
4	Memphis, Tennessee 38125-8800								
5	Facsimile: 901.434.4523								
6	SEYFARTH SHAW LLP Gilmore F. Diekmann, Jr.								
7	560 Mission Street, Suite San Francisco, California								
8	Telephone: 415.397.2823 Facsimile: 415.397.8549	3							
9	Attorneys for Defendant								
10	FEDERAL EXPRESS CO	ORPORATION,							
11									
12	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA								
13) Case No. C04-00	98 SI					
14	EDWARD ALVARADO CHARLOTTE BOSWEL			S ADMINISTRAT	IVE				
15	BERTHA DUENAS, PER CHARLES GIBBS, JANI	RNELL EVANS,) UNDER SEAL (
16	MUNOZ, KEVIN NEEL DYRONN THEODORE,	Y, LORE PAOGOFIE	,) PARKER'S TE	LEPHONE RECO					
17	and CHRISTOPHER WII) COMPUTER R	ECORDS AND (4) TIONS OF THE					
18	Plaintiffs,) PARTIES' PLE	ADINGS THAT THESE MATERIA	LS				
19	FEDEX CORPORATION	La Delaware) INCLUDING (A) DECLARATION COCK IN SUPPO	N ÓF				
20	corporation, dba FEDEX) DEFENDANT'S	S MOTION TO CO ND (B) DEFENDA	OMPEL				
21	Defendant.) REPLY MEMO	RANDUM IN SUP N TO COMPEL					
22			DISCOVERY						
23			Judge: Hon. Susa	n Illston					
24			-						
25									
26	Defendant's Administrative Me Telephone Records, (3) Parker	's Personal Computer Reco	ords And (4) Certain Portio	ons Of The Parties' Plea	dings				
27	That Reference These Material To Compel Discovery And (B)								
28	Case No. C04-0098 SI								

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1 Defendant, Federal Express Corporation, hereby moves the Court pursuant to Civil L.R. 2 7-11 and 79.5(b) to file under seal (1) Parker's Satchell time records, (2) Parker's telephone 3 records, (3) Parker's personal computer records and (4) certain portions of the Parties' pleadings 4 that reference these materials, including (A) Declaration of Barak J. Babcock in Support of 5 Defendant's Motion to Compel Discovery and (B) Defendant's Reply Memorandum in Support 6 of Its Motion to Compel Discovery. FedEx submits the following in support of its Motion: 7 1. The Special Master issued an Order (Docket No. 1378) directing FedEx to file 8 9 Parker's Satchell time records under seal. 10 2. Additionally, in discovery, FedEx received Parker's telephone records and 11 personal computer records, which Parker believes should be filed under seal. 12 3. The Satchell time records and Parker's telephone records and personal computer 13 records are (or will be) discussed in future pleadings in this Court regarding Parker's fee 14 petitions. 15 16 4. FedEx requests that the Court permit it to file under seal exhibits to the 17 Declaration of Barak J. Babcock in Support of Defendant's Motion to Compel Discovery, which 18 contain Parker's *Satchell* time records, telephone records and computer records. 19 5. FedEx further requests that the Court permit it to file the portion of Defendant's 20 Reply Memorandum in Support of Its Motion to Compel Discovery, which directly quotes from 21 the Satchell time records under seal. 22 6. Finally, FedEx requests that the Court issue an Order permitting the Parties to file 23 24 portions of future pleadings, which directly quote Parker's Satchell time records, telephone 25 records and/or computer records, under seal with the Court. 26 7. Should the Court grant the requested relief, FedEx will file "publicly" its 27 pleadings and only redact the portions of the pleading that references Parker's Satchell time 28

records, telephone records and/or computer records. FedEx will then file under seal a copy of the non-redacted pleading. For these reasons, FedEx respectfully requests that the Court issue an Order permitting FedEx to file under seal (1) Parker's Satchell time records, (2) Parker's telephone records, (3) Parker's personal computer records and (4) certain portions of the Parties' future pleadings that directly quote these materials. DATED: April 15, 2009. FEDERAL EXPRESS CORPORATION By: /s/ Barak J. Babcock Barak J. Babcock Attorneys for Defendant Federal Express Corporation Defendant's Administrative Motion For Leave To File Under Seal (1) Parker's Satchell Time Records, (2) Parker's Telephone Records, (3) Parker's Personal Computer Records And (4) Certain Portions Of That Parties' Pleadings That Reference These Materials, Including (A) Declaration Of Barak J. Babcock In Support Of Defendant's Motion To Compel Discovery And (B) Defendant's Reply Memorandum In Support Of Its Motion To Compel Discovery, Case No. C04-0098 SI

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1 2	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA								
3)							
4	EDWARD ALVARADO, JOHN AZZA CHARLOTTE BOSWELL, TANDA BI	Case No. C04-0098 SI [PROPOSED] ORDER PERMITTING THE FILING OF PARKER'S							
5	BERTHA DUENAS, PERNELL EVAN CHARLES GIBBS, JANICE LEWIS, M								
6 7	MUNOZ, KEVIN NEELY, LORE PAC DYRONN THEODORE, LASONIA W and CHRISTOPHER WILKERSON,	<i>SATCHELL</i> TIME RECORDS, PARKER'S TELEPHONE RECORDS, AND PARKER'S COMPUTER							
8	Plaintiffs, v.)))	RECORDS AND PORTIONS OF PLEADINGS THAT DISCUSS SUCH RECORDS UNDER SEAL						
9	FEDEX CORPORATION, a Delaware								
10	corporation, dba FEDEX EXPRESS,)	Judge: Hon. Susa	n Illston					
11	Defendant.)								
12	Having reviewed the relevant pleadings, the Court GRANTS Defendant's Administrative								
13 14	Motion to seal (1) Parker's <i>Satchell</i> time records, (2) Parker's telephone records, (3) Parker's								
15	personal computer records and (4) certain portions of the Parties' future pleadings that reference								
16	these materials, including (A) the Declaration of Barak J. Babcock in Support of Defendant's								
17	Motion to Compel Discovery; and, (I	B) Defend	lant's Reply Memo	orandum in Support of Its					
18	Motion to Compel Discovery.								
19	IT IS HEREBY ORDERED that (1) Parker's <i>Satchell</i> time records, (2) Parker's								
20									
21	telephone records, and (3) Parker's personal computer records should be filed under seal.								
22	IT IS FURTHER ORDERED that if the Parties should directly quote any of these								
23	materials in future pleadings that those portions of up pleadings should also be filed under seal.								
24	alsan Delaton								
25	Honorable Susan Illston								
26	U.S. District Court Judge								
27									
28									