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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DALE SAKAI,
Plaintiff,
v.
MERRILL LYNCH LIFE INSURANCE
COMPANY, et al.,
Defendants.

No. C 06-2581 MMC

**ORDER DENYING PLAINTIFF'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

Before the Court is plaintiff's "Miscellaneous Administrative Request Regarding the Production of Confidential Materials," filed January 22, 2008, by which plaintiff seeks to file under seal four documents, specifically Exhibits 5, 7, 8, and 9 to the Declaration of Maureen A. Harrington offered in support of plaintiff's motion for reconsideration, in light of defendants' having previously designated such documents as confidential.

Under the Local Rules of this District, where a party seeks to file under seal any material designated as confidential by another party, the submitting party must file a motion for a sealing order. See Civil L.R. 79-5(d). "Within five days thereafter, the designating party must file with the Court and serve a declaration establishing that the designated information is sealable, and must lodge and serve a narrowly tailored proposed sealing order, or must withdraw the designation of confidentiality." Id. "If the designating party

1 does not file its responsive declaration as required by this subsection, the document or
2 proposed filing will be made part of the public record.” Id.

3 Here, the asserted designating parties, defendants, have not filed a responsive
4 declaration within the time provided under Civil Local Rule 79-5(d).

5 Accordingly, the administrative motion is hereby DENIED, and the Clerk is
6 DIRECTED to file in the public record Exhibits 5, 7, 8, and 9 to the Declaration of Maureen
7 A. Harrington in Support of Motion for Reconsideration.

8 **IT IS SO ORDERED.**

9 Dated: February 6, 2008

10 
11 MAXINE M. CHESNEY
12 United States District Judge