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

BERNARD PAUL PARISH, HERBERT
ANTHONY ADDERLEY, and WALTER
ROBERTS III, on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

NATIONAL FOOTBALL LEAGUE
PLAYERS INCORPORATED d/b/a
PLAYERS INC., a Virginia corporation,

Defendant.

No. C 07-00943 WHA

**ORDER DENYING MOTIONS
TO SEAL**

All pending motions to seal brought in conjunction with defendants' motion for summary judgment are **DENIED**. In *Kamakana v. Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006), the Ninth Circuit held that *more* than good cause, indeed, "compelling reasons" are required to seal documents used in dispositive motions, just as compelling reasons would be needed to justify a closure of a courtroom during trial. Otherwise, the Ninth Circuit held, public access to the work of the courts will be unduly compromised. Therefore, no request for a sealing order will be allowed on summary judgment motions (or other dispositive motions) unless the movant first shows a "compelling reason," a substantially higher standard than "good cause." Only social security numbers, names of juveniles, home addresses and phone numbers, and trade secrets of a compelling nature (like the recipe for Coca Cola, for example) will

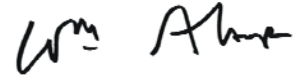
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qualify. *If the courtroom would not be closed for the information, nor should any dispositive motion proceedings, which are, in effect, a substitute for trial.*

Defendants have not given a “compelling reason” for any of the documents to be filed under seal. Accordingly, the motions are **DENIED**.

IT IS SO ORDERED.

Dated: August 19, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE