

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## IN THE UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

MEHRDAD ALEMOZAFFAR,

Plaintiff,

No. C 07-04494 JSW

v.

CITY AND COUNTY OF SAN FRANCISCO,  
et al.,**ORDER RE REQUESTS TO FILE  
DOCUMENTS UNDER SEAL**Defendants.  

---

In response to the Court's order directing Defendants to file a declaration establishing cause for sealing portions of Plaintiff's opposition brief and/or portions of the Declaration of Jeremy Cloyd, Defendants provided a brief declaration responding generally to all portions of the opposition brief and declaration in the same manner. Rather than identifying which portions of the opposition brief or declaration should be filed under seal, and providing individualized reasons for each portion, Defendants stated generally that the opposition brief and declaration contain information from the defendant peace officers' private personnel files. However, pages at 7:17-8:8, Plaintiff refers to portions of Taser International, Inc.'s Operations Manual and at page 8:18-20, Plaintiff refers to the Taser exam. At page 12:16-21, Plaintiff refers to the San Francisco Police Department polices. At page 13:10-13, Plaintiff discusses his conclusion about the City's custom or practice and references testimony from an officer. Defendants have not made a sufficient showing as to why such portions are sealable. Moreover, Defendants have not demonstrated why Exhibits 12 and 22 to the Declaration of Jeremy Cloyd, and the paragraphs briefly describing these exhibits, should be sealed.

1 With respect to Defendants' administrative motion to seal portions of its reply brief and  
2 the declarations of Lt. Daniel J. Mahoney and Daniel A. Zaheer, again Defendants fail to  
3 identify which specific portions of these documents it requests to file under seal and only argues  
4 generally, as to all portions, that they contain information from the defendant peace officers'  
5 private personnel files.

6 In the table of contents, the Court finds that only the name of the officer shall be sealed.  
7 At page 3:8-10 and footnote 2, page 4:14 through page 5:21, and page 6:3-18, Defendants refer  
8 to its taser policy. Defendants have not made a sufficient showing as to why such portions  
9 should be sealed. Moreover, other than the name of the officer and the names of the  
10 complainants on pages 7 through 13, including footnote 5, Defendants have not made a sufficient  
11 showing as to why its discussion of Plaintiff's argument and of the City's general policies and  
12 practices should be sealed. With respect to the Declaration of Daniel Zaheer and the  
13 Declaration of Lt. Daniel J. Mahoney, it appears as though Defendants are seeking to file the  
14 entire declarations under seal. Such request is overbroad.

15 As a public forum, the Court will only entertain requests to seal that establish good  
16 cause and are narrowly tailored to seal only the particular information that is genuinely  
17 privileged or protectable as a trade secret or otherwise has a compelling need for  
18 confidentiality. Documents may not be filed under seal pursuant to blanket protective orders  
19 covering multiple documents. In addition, counsel should not attempt to seal entire pleadings or  
20 declarations without a particularized showing explaining why the request could not be more  
21 narrowly tailored. Any order granting a request to seal shall direct the sealing of only those  
22 documents, pages, or if practicable, those portions of documents or pages that contain the  
23 information requiring confidentiality. All other portions of such documents shall remain in the  
24 public file. Civil L.R. 79-5(b) & cmt.

25 By no later than March 3, 2000, Defendants are directed to make a further showing,  
26 detailing which specific portions, if any, of the documents in question contain sealable

27 ///

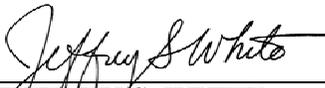
28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

information. The Court shall reserve ruling on Defendants' request to file documents under seal pending receipt of Defendants' further showing.

**IT IS SO ORDERED.**

Dated: February 26, 2009

  
\_\_\_\_\_  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE