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

IN RE LDK SOLAR SECURITIES  
LITIGATION.

No. C 07-05182 WHA

\_\_\_\_\_ /  
This Document Relates to:

All Actions.  
\_\_\_\_\_ /

**ORDER RE MOTIONS TO SEAL  
DOCUMENTS RELATED TO  
SUMMARY JUDGMENT MOTIONS**

The parties have filed twenty-eight motions to seal various documents related to defendants’ motion for summary judgment and motions in limine to exclude plaintiff’s expert witnesses, and plaintiff’s motion for partial summary judgment. As clearly stated in the Court’s “Order Approving Amended Protective Order Subject to Stated Conditions” (Dkt. No. 130), the Ninth Circuit requires *compelling reasons* to seal documents used in dispositive motions and motions in limine, just as compelling reasons would be needed to justify a closure of a courtroom during trial. The parties were therefore on notice that no request for a sealing order would be allowed on summary judgment motions or motions in limine unless the movant first showed a compelling reason, a substantially higher standard than “good cause.” *This is true regardless of any stipulation by the parties.* 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 qualify.

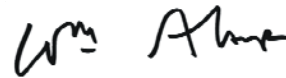
The parties have put forward compelling reasons to seal only a few of the documents which they have sought to seal in connection with these motions. Defendants’ motion to file

1 under seal exhibits A–G, I–K and M to the declaration of Jack Lai in support of defendants’  
2 motion for summary judgment (Dkt. No. 358) is **GRANTED** because the sealed exhibits contain  
3 bank account numbers and related highly sensitive financial information. Lead plaintiff’s motion  
4 to seal his opposition to defendants’ motion for summary judgment (Dkt. No. 429) is **GRANTED**  
5 because the sealed documents contain private personal information of third parties. Defendants’  
6 motion to seal certain declarations in support of their reply memorandum in support of their  
7 motion for summary judgment (Dkt. No. 482) is **GRANTED** because the sealed documents contain  
8 private email addresses and telephone numbers.

9 Because no compelling reasons were put forth by either party as to why the other  
10 identified documents should be filed under seal, the parties’ other motions to seal (Dkt. Nos. 336,  
11 361, 364, 366, 368, 372, 377, 383, 390, 393, 397, 405, 411, 418, 431, 441, 442, 446, 448, 451,  
12 453, 455, 458, 472 and 492) are **DENIED**.

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14 **IT IS SO ORDERED.**

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16 Dated: February 18, 2010.



17 WILLIAM ALSUP  
18 UNITED STATES DISTRICT JUDGE  
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