

United States District Court
For the Northern District of California

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

GORDON ERSPAMER,
Plaintiff,

v.

MORRISON & FOERSTER LLP LONG
TERM DISABILITY PLAN,
Defendant

No. C-08-4692 MMC

**ORDER RE: VOLUMINOUS
DOCUMENTS SUBMITTED TO CLERK
BY DEFENDANT; DIRECTIONS TO
DEFENDANT**

On or about November 25, 2009, defendant Morrison & Foerster LLP Long Term Disability Plan submitted to the Clerk a loose stack of documents, totaling 1186 pages in length, without a cover sheet and without filing therewith a notice indicating the purpose of such submission. The subject documents have not, to date, been electronically filed.

It is readily apparent from the Court's review of the above-described submission that the 1186 pages are the administrative record, or at least a portion thereof, pertinent to the instant action. What is not apparent is the action defendant seeks to have the Clerk and/or the Court take with respect to such submission.

To the extent defendant may be seeking to file the administrative record manually, defendant has failed to file a Notice of Manual Filing. See General Order No. 45, § VII.A.¹

¹A review of the docket indicates defendant may have attempted to file a Manual Filing notification on November 25, 2009. (See Document No. 38, filed in Case No. 08-4692.) Such notification was not, however, filed on November 25, 2009 or on any other date.

1 To the extent defendant may be seeking leave to file portions of the administrative record
2 under seal, defendant has failed to file a motion for leave to file any portion of the
3 administrative motion under seal, and has failed to file in the public record those portions it
4 does not believe should be filed under seal. See Civil Local Rule 79-5(c). Further,
5 irrespective of whether defendant is seeking to file the administrative record manually
6 and/or under seal, defendant has failed to comply with the General Orders of this District, in
7 that defendant has failed to provide a chambers copy of the administrative record. See
8 General Order No. 45, § VI.G.

9 Accordingly, defendant is hereby DIRECTED to file, no later than December 28,
10 2009, a Manual Filing notification and/or a motion to file portions of the administrative
11 record under seal, as appropriate, and to provide a chambers copy of any document it
12 seeks to have filed, whether under seal or in the public record.

13 **IT IS SO ORDERED.**

14
15 Dated: December 17, 2009

16 
17
18
19
20
21
22
23
24
25
26
27
28
MAXINE M. CHESNEY
United States District Judge