

UNITED STATES DEPARTMENT OF JUSTICE

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TAYLOR RUSSELL, on behalf of) Case No. C 09-03239-WHA
himself and all others similarly situated,)
) **STIPULATED ADMINISTRATIVE**
Plaintiff,) **MOTION AND [~~PROPOSED~~] ORDER TO**
) **FILE CLASS CHECKS LIST UNDER**
v.) **PARTIAL SEAL AS REQUIRED BY**
) **COURT (DKT. NO. 226)**
UNITED STATES OF AMERICA,)
)
Defendant.)
)

ADMIN MOTION TO FILE UNDER SEAL
CASE NO. C 09-03239 WHA

1 The parties, through their respective counsel, stipulate to request an order to file under
2 seal a list with the identifying information associated with class members eligible for settlement
3 checks as required by this Court.

4 WHEREAS, in the Order Granting Final Approval of Class Action Settlement Agreement
5 and Awarding Attorney's Fees and Expenses, the Court ordered that: "Counsel shall file on the
6 public docket a final list of the names of the class members bound by the settlement, and shall
7 file under seal a list of their names and identifying information. The list shall indicate which
8 checks remained uncashed or were returned." Dkt. No. 226, at 5.

9 WHEREAS the Class Administrator Kurtzman Carson Consultants (KCC), under
10 supervision of Class Counsel, compiled a class checks list reflecting the names and identifying
11 information of class members eligible for settlement checks, and whether the class member had
12 cashed the settlement check (Class Checks List). The Class Checks List contains a Claim ID
13 number that KCC used for each authorized settlement check, the class member's name, and the
14 amount of the settlement check. The Army and Air Force Exchange Service (Exchange or
15 AAFES) also provided KCC with a list of settlement checks it subsequently issued to unpaid
16 class members that cleared, and KCC incorporated AAFES' cashed check data into the list. In
17 the "Status" column, "C" means the check was cashed and "U" means it was not cashed or was
18 not issued because no valid address could be found for the class member. The "SS#" column
19 contains the class member's social security number.

20 WHEREAS, as required by Local Rule 79-5(d)(1)(A), attached as Exhibit 1 is a
21 declaration of Alicia M. Hunt establishing that the identifying information on the Class Checks
22 List created by KCC is sealable.

23 WHEREAS, as required by Local Rule 79-5(d)(1)(C), attached as Exhibit 2 is a redacted
24 version of the Class Checks List, which is a list of the names of the class members eligible for
25 settlement checks with identifying information redacted. The exhibit is labeled "Redacted
26 Version of Document Sought To Be Sealed." The redacted version of the Class Checks List was
27 also filed as Exhibit A to the Final Report.

28

1 WHEREAS, as required by Local Rule 79-5(d)(1)(D), attached as Exhibit 3 is the
2 unredacted version of the document. The identifying information to be sealed is the Social
3 Security number information listed in the column marked "SS #", and the exhibit reflects the
4 notation that it is an "Unredacted Version of Document Sought To Be Sealed."

5 IT IS SO STIPULATED.
6
7

8 Dated: August 1, 2016

Respectfully submitted,

9 BENJAMIN C. MIZER
10 Principal Deputy Assistant Attorney General

11 RUTH A. HARVEY
12 Director

13 /s/ Alicia M. Hunt
14 _____

15 ALICIA M. HUNT
16 (D.C. Bar. No. 484620)
17 Trial Attorney
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Attorneys for Defendant

28 **I, Alicia M. Hunt, hereby attest that I have received approval to file this document from
the other signatories whose signatures are indicated below by a "conformed" signature
(/s/).**

Dated: August 1, 2016

Respectfully submitted,

[PROPOSED] ORDER

Pursuant to the foregoing stipulation of the parties, and good cause appearing therefore,
IT IS HEREBY ORDERED that Social Security numbers on Exhibit 3 to this Stipulated
Administrative Motion is filed under seal to protect the identifying information of class
members.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

August 5, 2016.
Date


William H. Alsup
United States District Judge

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CERTIFICATE OF SERVICE

I hereby certify that, on August 1, 2016, the foregoing was served by Electronic Case Filing.

/s/ Alicia M. Hunt

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