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

SHEILA I. HOFSTETTER, individually, as
a representative of the class, and on behalf
of the general public,

Plaintiff,

v.

CHASE HOME FINANCE, LLC, CHASE
BANK USA, NA, and DOES 1 through 50,
inclusive,

Defendants.

No. C 10-01313 WHA

**ORDER PARTIALLY
GRANTING MOTION
TO FILE DOCUMENTS
UNDER SEAL**

On February 17, 2011, plaintiff Sheila I. Hofstetter filed her motion for class certification. Because the motion and supporting materials contained information that defendants had designated as “confidential,” this filing was accompanied by an administrative motion to file portions of the materials under seal. Pursuant to Civil Local Rule 79-5(d), defendants then had seven days within which to submit a declaration establishing that the designated information should, in fact, be sealed. No such declaration was timely filed. Defendants were allowed to file a supporting declaration by noon on March 2, and they did so.


Having considered the declaration and supporting materials, the motion is **GRANTED IN PART** to the following extent. Exhibits 12, 13, 14, 17, 19, 20, 21, 22, 23, 24, and 26 to the Richter declaration may be filed under seal.

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As to exhibits 1, 2, 3, and 4 to the Richter declaration and the motion for class certification, the motion for a sealing order cannot be granted at this time, because the request is not narrowly drawn to include only sealable material. For example, no support has been provided as to why citations to the record in plaintiff's brief or deposition testimony regarding basic job and department functions should be sealed. On this point, defendants are reminded of the Ninth Circuit's strict standard for sealable material, as set forth in the order approving the stipulated protective order subject to stated conditions (Dkt. No. 55). Defendants may file a more narrowly drawn request to seal portions of these documents by **NOON ON MARCH 7, 2011**. If no further request is filed, or if the revised request still overreaches, then the administrative motion will be denied as to these documents and they will be filed in the public record in their entirety.

IT IS SO ORDERED.

Dated: March 2, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE