

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

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4  
5 ACCENTURE LLP,

6 Plaintiff,

7 v.

8 HARDEV SIDHU,

9 Defendant.

NO. C10-2977TEH

ORDER REGARDING THE  
PARTIES' PROPOSED SEALING  
OF THE RECORD

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11 This matter comes before the Court via a joint stipulation and proposed order,  
12 submitted by the parties to this Court on October 11, 2011. The parties have stipulated to  
13 sealing of the record and files for this case as part of their settlement agreement, and now  
14 wish to seal the entire case record, including all pleadings and submissions by the parties.

15 Courts have historically recognized a “general right to inspect and copy public records  
16 and documents, including judicial records and documents. *Nixon v. Warner Commc’ns, Inc.*,  
17 435 U.S. 589, 597 n. 7 (1978). Though the right of access to judicial records is not absolute,  
18 and some records have been traditionally kept secret for public policy reasons, there is, in  
19 general, a strong presumption in favor of access to court records. *Kamakana v. City and*  
20 *County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006). In order to overcome this strong  
21 presumption, it is necessary that a party or parties “articulate[] compelling reasons supported  
22 by specific factual findings “that outweigh the general history of access and the public  
23 policies favoring disclosure.” *Kamakana*, 447 F.3d at 1178-1179. Examples of such  
24 compelling reasons are the potential for improper use of court records, such as to gratify  
25 private spite, promote public scandal, circulate libelous statements, or release trade secrets.  
26 *Kamakana*, 447 F.3d at 1179. “The mere fact that the production of records may lead to a  
27 litigant’s embarrassment, incrimination, or exposure to further litigation will not, without  
28 more, compel the court to seal its records.” *Id.*

1           Though the parties mention, in their stipulation, the potential difficulty the Defendant  
2 in this case may face going forward in regards to finding employment, the Court does not, at  
3 this time, have sufficient facts on the record to meet the “compelling reasons” standard  
4 described above. For this reason, the Court now ORDERS the parties to submit briefing to  
5 this Court, detailing for the Court what compelling reasons there may be why the record in  
6 this case should be sealed. Such briefing shall be submitted no later than Monday,  
7 November 14, 2011.

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9 **IT IS SO ORDERED.**

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11 Dated: 10/13/2011



THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT

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