

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

****E-filed 9/30/11 ****

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GREGORY A. GREER

No. C 10-3601 RS

Plaintiff,

v.

**ORDER FOR SECOND
CONTINUENCE OF BRIEFING
SCHEDULE AND HEARING DATE
FOR SUMMARY JUDGMENT
MOTION**

ELECTRONIC ARTS, INC.,

Defendant.

_____ /

The briefing schedule and hearing date for defendant’s motion for summary judgment was previously continued in response to plaintiff’s request under Rule 56(d) of the Federal Rules of Civil Procedure that he be permitted to conduct certain additional discovery. On September 14, 2011, plaintiff filed a request for a second continuance. Plaintiff asserted that he had been unable to obtain the discovery he needs to oppose the motion, as would be shown in a contemporaneously filed motion to compel. No motion to compel was filed with the continuance request, however.

The following day, plaintiff filed a “Motion for Leave to File Under Seal,” apparently seeking blanket, advance permission to file the entirety of his motion to compel, his eventual opposition to the summary judgment motion, and “other documents” under seal, on grounds that they may discuss or incorporate information designated by defendant as confidential. Sealing requests “must be narrowly tailored to seek sealing only of sealable material.” Civil Local Rule 79-

1 5. Rarely, if ever would it be appropriate to seal an entire motion or opposition brief, and certainly a
2 blanket order permitting sealing of unspecified future filings would never be warranted. Because
3 plaintiff's motion promised that chambers copies of the motion to compel were being provided,
4 however, the Court deferred ruling on the sealing request pending receipt of those copies, in the
5 event they might show that plaintiff's intended actual sealing request was more reasonable in scope.
6 No chambers copies have ever been received. Defendant has filed no opposition to plaintiff's
7 request for a continuance.

8 In view of these circumstances, and to permit an orderly disposition of this matter, it is
9 hereby ordered that the hearing on defendant's summary judgment motion is continued to
10 November 17, 2011, at 1:30 p.m. Plaintiff's opposition shall be due on October 27, 2011, and the
11 reply on November 3, 2011.

12 Plaintiff is directed to act expeditiously to obtain resolution of any discovery disputes he
13 contends remain outstanding. Any motion to compel plaintiff may file will be referred to a
14 magistrate judge for resolution. Plaintiff's motion for a sealing order filed on September 15, 2011 is
15 denied without prejudice.

16
17
18
19 IT IS SO ORDERED.

20
21
22 Dated: 9/29/11



23 RICHARD SEEBORG
24 UNITED STATES DISTRICT JUDGE
25
26
27
28