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

PROCONGPS, INC.,

No. C 11-3975 SI

Plaintiff,

**ORDER RE: STIPULATION TO FILE
UNDER SEAL**

v.

STAR SENSOR, LLC, *et al.*,

Defendants.

The parties have filed a stipulation to file under seal portions of the Joint Statement Regarding Discovery Dispute, as well as to file under seal portions of the attached exhibit. The stipulation states that the parties agree that the material at issue should be filed under seal on the ground that “Plaintiff believes good cause exists to prevent the disclosure of this confidential, proprietary, and financial information.” Docket 129 at 2:18-19.

Generally, when applying to file documents under seal in connection with a non-dispositive motion, a showing of “good cause” under Federal Rule of Civil Procedure 26(c) is sufficient for the Court to file the documents under seal. *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1179-80 (9th Cir. 2006); *see also* Fed. R. Civ. P. 26(c). To show good cause, the parties must still make a “particularized showing” that “specific harm or prejudice will result if the information is disclosed.” *Kamakana*, 447 F.3d at 1179-80. “Simply mentioning a general category of privilege, without any further elaboration or any specific linkage with the documents, does not satisfy the burden.” *Kamakana*, 447 F.3d at 1184. Neither do “broad allegations of harm, unsubstantiated by specific examples or articulated reasoning.” *Phillips v. GMC*, 307 F.3d 1206, 1211 (9th Cir. 2002) (quoting *Beckman Indus., Inc. v. International Ins. Co.*, 966 F.2d 470, 476 (9th Cir. 1992)).


United States District Court
For the Northern District of California

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The Court finds that the parties' stipulation does not make a particularized showing of harm or prejudice that will result if the information is disclosed. Within **five (5) days** of the date of this Order, plaintiff must submit a declaration providing specific examples, supported by articulated reasoning, demonstrating why disclosure of the material at issue will result in harm or prejudice sufficient to permit filing that information under seal.

IT IS SO ORDERED.

Dated: February 26, 2013



SUSAN ILLSTON
United States District Judge