

UNITED STATES DISTRICT COURT  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
Northern District of California  
San Francisco Division

CHIEN VAN BUI, et al.,

No. C 11-04189 LB

Plaintiffs,

**ORDER GRANTING IN PART  
PLAINTIFFS' ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL**

v.

CITY AND COUNTY OF SAN  
FRANCISCO, et al.,

[Re: ECF No. 101]

Defendants.

On April 15, 2014, Plaintiffs filed an administrative motion to file certain documents, including portions of their opposition to Defendant's motion for summary judgment, under seal.

Administrative Motion, ECF No. 101. Plaintiffs seek to file these documents under seal because Defendants previously designated them as "confidential" under the protective order. Specifically, Defendants seek to file the following documents, or portions thereof, under seal:

1. Opposition Brief (lines mentioning the Internal Affairs interview of Officer Ortiz)
2. Schwartz Declaration, Ex. D, Ex. 2 (Exhibit 2 to the Goley Deposition Transcript)
3. Schwartz Declaration, Ex. U (Transcribed Police Interview of Vincent C.)
4. Schwartz Declaration, Ex. V (Transcribed Police Interview of Geoffrey J.)
5. Schwartz Declaration, Ex. W (Transcribed Police Interview of Nelson T.)
6. Schwartz Declaration, Ex. X (Police Statement of Vincent C.)
7. Schwartz Declaration, Ex. Y (Police Statement of Geoffrey J.)

- 1 8. Schwartz Declaration, Ex. Z (Police Statement of Nelson T.)
- 2 9. Schwartz Declaration, Ex. BB (Internal Affairs interview of Officer Ortiz)
- 3 10. Clark Declaration (lines mentioning the Internal Affairs interview of Officer Ortiz)

4 In response, Defendants' counsel, Sean Connelly, submitted a declaration under Civil Local Rule  
5 79-5(e)(1) that states that only the Internal Affairs interview of Officer Ortiz (Schwartz Declaration,  
6 Ex. BB) and the portions of the opposition brief and Clark Declaration that mention the Internal  
7 Affairs interview of Officer Ortiz actually are sealable. Connolly Sealing Declaration, ECF No. 107.

8 In light of Mr. Connolly's declaration, the court **GRANTS IN PART** Plaintiffs' administrative  
9 motion, finding that the only sealable material is the Internal Affairs interview of Officer Ortiz  
10 (Schwartz Declaration, Ex. BB) and the portions of the opposition brief and Clark Declaration that  
11 mention the Internal Affairs interview of Officer Ortiz. The other material mentioned in Plaintiffs'  
12 administrative motion shall be filed unsealed in the public record.

13 So that the docket is clear and to enable easy citation, the court **ORDERS** Plaintiffs to do the  
14 following:

- 15 1. File as a separate docket entry the redacted opposition brief (e.g., ECF No. 109)
- 16 2. File as separate docket entry and under seal the unredacted opposition brief with the  
17 sealable portions highlighted (e.g., ECF No. 110)
- 18 3. File as a separate docket entry the Schwartz Declaration with all of its exhibits (Exs.  
19 A - DD), with Exhibit BB filed under seal (e.g., ECF No. 111)
- 20 4. File as a separate docket entry the redacted Clark Declaration (e.g., ECF No. 112)
- 21 5. File as a separate docket entry and under seal the unredacted Clark Declaration with  
22 the sealable portions highlighted (e.g., ECF No. 113)
- 23 6. Provide the court with chambers copies of each of the above-listed documents.

24 Plaintiffs do not need to re-file the Herrmann Declaration (ECF No. 103) or the Tran Declaration  
25 (ECF No. 104).

26 **IT IS SO ORDERED.**

27 Dated: April 24, 2014



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LAUREL BEELER  
United States Magistrate Judge