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United States District Court
Northern District of California

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

<p>RESILIENT FLOOR COVERING PENSION FUND, et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>MICHAEL’S FLOOR COVERING, INC.,</p> <p style="text-align: center;">Defendant.</p>	<p>Case No.: 11-5200 JSC</p> <p>SECOND ORDER RE: ADMINISTRATIVE MOTION TO FILE UNDER SEAL (Dkt. No. 70)</p>
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On July 26, 2012, the parties filed cross-motions for summary judgment in this action. (Dkt. Nos. 67 & 71). Plaintiffs’ motion includes an administrative motion to file under seal portions of Plaintiffs’ Memorandum of Points and Authorities in Support of Plaintiffs’ Motion for Partial Summary Judgment and Exhibits K, L, R, V (Art. F & I only), W, X and Z (attachments only) to the Declaration of Donna L. Kirchner filed therewith. (Dkt. No. 70). Plaintiffs’ motion is based on Defendant’s designation of materials attached thereto as “Highly-Confidential – Attorneys’ Eyes Only.”

On August 3, 2012, this Court ordered Defendant, as the designating party, to file a declaration establishing good cause for the sealing **along with a proposed order** or withdraw the designation by August 6, 2012 in accordance with this Court’s Standing Order

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and Local Rule 79-5(c). Defendant filed a declaration attesting to the documents confidentiality, but failed to file a proposed order.

Defendant shall have one final opportunity to comply with the Court's Orders and the Local Rules. Defendant shall file a proposed order which indicates which portions of Plaintiffs' Memorandum of Points and Authorities in Support of Plaintiffs' Motion for Partial Summary Judgment and the exhibits thereto should be filed under seal by the close of business Wednesday, August 8, 2012. If Defendant again fails to comply, the Court will order the documents filed on the public docket.

IT IS SO ORDERED.

Dated: August 7, 2012



JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE