

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 KIMBERLY YORDY,
5 Plaintiff,

6 v.

7 PLIMUS, INC,
8 Defendant.

Case No. 12-cv-00229-TEH

**ORDER TO SHOW CAUSE RE:
PARTIES' FAILURE TO FILE A
JOINT ADMINISTRATIVE MOTION
TO SEAL DOCUMENTS**

9
10 On November 25, 2013, Plaintiff Kimberly Yordy ("Yordy") filed an administrative
11 motion to file documents under seal in connection with her renewed motion for class
12 certification. Defendant Plimus, Inc. ("Plimus") was the party that had designated the
13 documents "Confidential," and, therefore, under Civil Local Rule 79-5(e)(1), was required
14 to file a declaration "establishing that all of the designated material is sealable" within four
15 days. Plimus did not file such a declaration.

16 On December 3, 2013, the Court, citing its doubts as to whether the documents
17 were sealable, ordered the parties to meet and confer on the matter and to file a joint
18 administrative motion to file documents under seal on or before December 13, 2013. The
19 motion was to be supported by declarations establishing the sealability of the documents.

20 To date, the parties have not submitted a joint administrative motion to seal
21 documents.¹

22 Accordingly, with good cause appearing, the parties are **HEREBY ORDERED** to
23 **SHOW CAUSE** as to why the Court should not impose sanctions, including the initiation

24
25 _____
26 ¹ Instead, on December 23, 2013, Plimus submitted its opposition to Yordy's motion for
27 class certification, along with its own administrative motion to file documents under seal.
28 On January 6, 2014, Yordy submitted her reply brief, which also included an
administrative motion to file documents under seal. These submissions raised similar
concerns with the Court as Yordy's original submission, including whether copies of e-
mails from Plimus offering services to its clients, or deposition transcripts regarding
Plimus's organizational structure warrant sealing.

1 of contempt proceedings, for failing to comply with the Court's December 3, 2013 order.
2 The Court is also considering the appointment of a special master, paid for by the parties,
3 to assist them in identifying sealable documents. The show cause hearing shall be held on
4 Monday, **January 27, 2014, at 10:00 AM**, in Courtroom No. 2, 450 Golden Gate Avenue,
5 San Francisco, California. If the parties wish to file a written response, they must do so on
6 or before Wednesday, **January 15, 2014**.

7 IT IS FURTHER ORDERED that the hearing on Yordy's motion for class
8 certification, scheduled for January 27, 2014, is VACATED pending resolution of this
9 matter.

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11 **IT IS SO ORDERED.**

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13 Dated: 1/7/14



THELTON E. HENDERSON
United States District Judge