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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**

10
11 JEMAR THOMPSON, and others,

12 Plaintiffs,

13 v.

14 C&H SUGAR CO., and others,

15 Defendants.

Case No. 12-cv-00391 NC

**ORDER GRANTING MOTION TO
SEAL**

Re: Dkt. No. 101, 149

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17 Defendants moved to seal employment records publicly filed as exhibits in support of
18 plaintiff Crystal Coleman's opposition to defendants' motion for summary judgment. Dkt.
19 No. 101. The Court initially denied the motion for defendants' failure to provide legal
20 support for sealing the employment records. Dkt. No. 143. Defendants later submitted a
21 letter brief citing to cases that have sealed similar records, albeit records of government
22 employees. Dkt. No. 149. The Court finds that sealing the records is warranted when
23 balancing the need for the public's access to information against the third party employee's
24 need for privacy in their employment records, which reveal specific instances of employee
25 discipline. *See Seals v. Mitchell*, No. 04-cv-03764 NJV, 2011 WL 1233650, at *3 (N.D.
26 Cal. Mar. 30, 2011) (finding sealing private employment records was appropriate in order to
27 "protect Defendants from embarrassment; and because balancing the need for the public's
28 access to information regarding Defendants' employment records, personnel records, and

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1 specific instances of past conduct against Defendants' need for confidentiality weighs
2 strongly in favor of sealing.”). Accordingly, the Court GRANTS the motion to seal.

3 The Clerk of Court will remove the documents filed as Exhibits P, Q, R, W, X, Y,
4 HH, II, KK, and LL in support of plaintiff Coleman's opposition to the motion for summary
5 judgment. Plaintiff Coleman must then re-file the documents under seal pursuant to Local
6 Rule 79-5. Upon re-filing, those exhibits will be deemed to have been filed by Ms.
7 Coleman under seal as of December 4, 2013.

8 IT IS SO ORDERED.

9 Date: May 6, 2014

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12 Nathanael M. Cousins
13 United States Magistrate Judge
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