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9 Attorneys for Defendant  
 10 AT&T SERVICES, INC.

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION

14 NICK MILETAK,

15 Plaintiff,

16 v.

17 AT&T SERVICES, INC. and DOES 1 through  
 18 100, inclusive,

19 Defendants.

Case No.: 3:12-cv-05326-EMC

~~[PROPOSED]~~ ORDER GRANTING  
 DEFENDANT AT&T SERVICES, INC.'S  
 ADMINISTRATIVE MOTION TO SEAL

Complaint filed: August 22, 2012

1 Defendant AT&T Services, Inc. (“AT&T Services”) filed an Administrative Motion  
2 to Seal on June 17, 2015 seeking to seal certain records filed in AT&T Services’ Opposition to  
3 Plaintiff’s Motion to Set Aside Settlement Agreement. Plaintiff Nick Miletak stipulated to the  
4 sealing of such records.

5  
6 Having considered the papers filed, the Court hereby grants AT&T Services’  
7 Administrative Motion to Seal. The court recognizes that the public right to inspect or access  
8 court records is not absolute. See *In re Knight Pub. Co.*, 743 F.2d 231, 235 (1984). AT&T  
9 Services has presented sufficient evidence showing a compelling need and/or good cause  
10 warranting sealing of the records in question and has referenced prejudice that may result if  
11 such records are not sealed. Moreover, courts have recognized the import of maintaining  
12 confidentiality of settlement agreements and settlement negotiations to avoid the very same  
13 types of prejudice at issue here. *United Rentals, Inc. v. Ahern Rentals, Inc.*, No. 2:12-cv-  
14 01876-JCM-VCF, 2012 WL 5418355, at \*1-2 (D. Nev. Nov. 2, 2012). In *United Rentals, Inc.*,  
15 the court ordered that the terms of a confidential settlement agreement would remain  
16 confidential and that the “confidentiality of the Settlement Agreement outweighs the public’s  
17 right of access,” that same court noted:

18 For the court to induce [the parties’ reliance on secrecy in settling] and then to  
19 decline to support the parties in their reliance would work an injustice on ...  
20 litigants and make future settlements predicated upon confidentiality less likely.  
*Id.* (citations omitted).

21 This court finds that the same applies here and therefore grants AT&T Services’ request to  
22 seal portions of its Opposition and supporting documents to the extent they reference or refer  
23 to the Confidential Settlement Agreement entered between the parties.

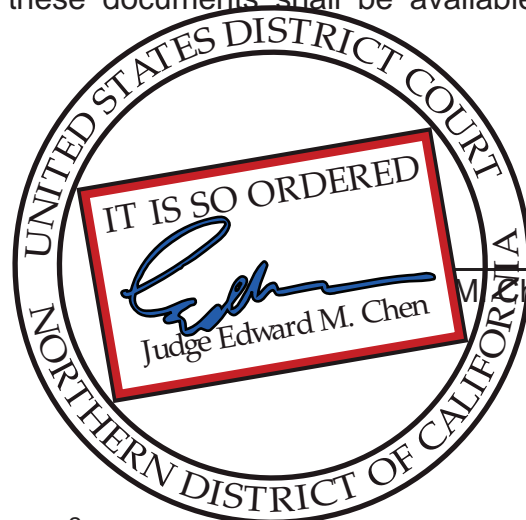
24  
25 To that end, the Court rules that the following documents and portions of  
26 documents shall be sealed in accordance with AT&T Services’ request:

Document to be Sealed	Result	Reason/Explanation
Defendant AT&T Services, Inc.'s Opposition To Plaintiff's Motion To Set Aside Settlement Agreement.	Proposed (Highlighted) Redactions are approved by the Court. The <u>unredacted</u> Opposition shall be filed and remain under seal. Only the redacted version shall be placed into the public record.	The proposed redactions are narrowly tailored to the confidential settlement agreement.
Declaration Of Lisa C. Hamasaki In Support Of Defendant AT&T Services, Inc.'s Opposition To Plaintiff's Motion To Set Aside Settlement Agreement	Proposed (Highlighted) Redactions are approved by the Court. The <u>unredacted</u> Declaration shall be filed and remain under seal. Only the redacted version shall be placed into the public record.	The proposed redactions are narrowly tailored to the confidential settlement agreement.
Exhibit C To The Declaration Of Lisa C. Hamasaki In Support Of Defendant AT&T Services, Inc.'s Opposition To Plaintiff's Motion To Set Aside Settlement Agreement.	Proposed (Highlighted) Redactions are approved by the Court. The <u>unredacted</u> Exhibit shall be filed and remain under seal. Only the redacted version shall be placed into the public record.	The proposed redactions are narrowly tailored to the confidential settlement agreement.
Exhibit D To The Declaration Of Lisa C. Hamasaki In Support Of Defendant AT&T Services, Inc.'s Opposition To Plaintiff's Motion To Set Aside Settlement Agreement.	Proposed (Highlighted) Redactions are approved by the Court. The <u>unredacted</u> Exhibit shall be filed and remain under seal. Only the redacted version shall be placed into the public record.	The proposed redactions are narrowly tailored to the confidential settlement agreement.

The Court finds that the materials AT&T Services seeks to seal contain confidential information about a settlement agreement that if made public, would prejudice Defendant. Redacted versions only of these documents shall be available in the public record.

IT IS SO ORDERED.

Dated: 6/29/15 \_\_\_\_\_



4818-8050-6917, v. 1