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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RHEUMATOLOGY DIAGNOSTICS
LABORATORY, INC, et al.,

Plaintiffs,

v.

AETNA, INC., et al.,

Defendants.

Case No. 12-cv-05847-WHO

**ORDER REGARDING
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL MOTION FOR
SUMMARY JUDGMENT AND
EXHIBITS**

Re: Dkt. No. 215

On January 16, 2015, defendants Quest Diagnostics Incorporated and Quest Diagnostics Clinical Laboratories Incorporated (collectively, “QDI”) filed an administrative motion to file under seal dozens of portions of their motion for summary judgment, as well as several declarations and exhibits submitted in support of the motion. Dkt. No. 215.

The motion is DENIED WITHOUT PREJUDICE. QDI’s sealing requests are overbroad. For example, QDI seeks to seal the entirety of the declarations of Robert Moverley and Gary McCabe and all exhibits attached to these exhibits. A party seeking to seal material related to a dispositive motion must “articulate compelling reasons supported by specific factual findings,” identifying the particular interests favoring secrecy and showing how those interests outweigh the “strong presumption” favoring disclosure. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178-81 (9th Cir. 2006). In general, compelling reasons sufficient to justify sealing exist when the materials may “become a vehicle for improper purposes, such as . . . to gratify private spite, promote public scandal, . . . or release trade secrets.” *Id.* at 1179. But “[t]he mere fact that the production of records may lead to a litigant’s embarrassment, incrimination, or exposure to further litigation will not, without more, compel the court to seal its records.” *Id.* QDI has not articulated specific facts demonstrating compelling reasons for sealing the entirety of each of the items it

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seeks to file under seal.

Accordingly, QDI's sealing motion, Dkt. No. 215, is DENIED WITHOUT PREJUDICE. QDI shall file an amended sealing motion on or before March 3, 2015 narrowing its sealing requests, specifically identifying the documents or portions of documents it seeks to have sealed, and articulating specific facts demonstrating compelling reasons for sealing.

IT IS SO ORDERED.

Dated: February 24, 2015



WILLIAM H. ORRICK
United States District Judge