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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SEAN L. GILBERT, et al.,  
Plaintiffs,  
v.  
BANK OF AMERICA, N.A., et al.,  
Defendants.

Case No. 13-cv-01171-VC

**ORDER DENYING MOTION TO SEAL**

The Court DENIES the plaintiffs' Administrative Motion to File Under Seal (Docket No. 106) without prejudice. Pursuant to Local Rule 79-5(e), the plaintiffs seek to file under seal documents designated as confidential by the defendants, in connection with their opposition to the defendants' motion to dismiss. However, the defendants have not filed a responsive declaration establishing that all of the designated material is sealable, as required by the local rules. Accordingly, the Court finds that the parties have not presented "compelling reasons supported by specific factual findings" to justify filing the materials at issue under seal. Kamakana v. City and Cnty. of Honolulu, 447 F.3d 1172, 1178-80 (9th Cir. 2006) (internal quotations and citations omitted).

The motions are denied without prejudice. If the parties wish to refile, they must do so on or before **May 30, 2014**.

**IT IS SO ORDERED.**

Dated: May 23, 2014

  
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VINCE CHHABRIA  
United States District Judge