

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AMANDA FRLEKIN, AARON
GREGOROFF, SETH DOWNLING,
DEBRA SPEICHER, and TAYLOR
KALIN,

Plaintiffs,

v.

APPLE INC.,

Defendant.

No. C 13-03451 WHA

**ORDER GRANTING IN PART
AND DENYING IN PART
DEFENDANT'S MOTION TO
FILE UNDER SEAL**

Defendant Apple, Inc., moves to file under seal several exhibits to its opposition to plaintiffs' class certification motion. Apple seeks to seal seventy video clips of security footage depicting public and secure areas of Apple retail stores as well as one hundred twenty-seven photographs depicting similar areas of the stores. Some exhibits depict the faces of Apple employees and customers. Apple claims it could suffer commercial harm if these exhibits were made available to the public because potential wrongdoers could glean information about Apple's security system, including "what areas the surveillance camera and video covers, and by deduction, what areas it does not cover" Apple also argues that public disclosure of these exhibits would unnecessarily infringe on the privacy rights of its customers and employees. Plaintiffs oppose Apple's motion.

Having reviewed Apple's submissions, good cause exists to justify sealing the video evidence, as that evidence contains confidential information relating to Apple's security systems,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

which could cause significant commercial harm if disclosed publicly. No such interest justifies sealing the photographic evidence. Nor has Apple pointed to any privacy interest affected by the depiction of the faces of customers or employees conducting ordinary business at a retail store.

Accordingly, Apple’s motion to file under seal is **GRANTED** as to the video exhibits to the declaration of Todd K. Boyer in support of Apple’s opposition, which are: Exhibit J to Exhibit B-1, Exhibit G to Exhibit B-6, Exhibit C to Exhibit GG, Exhibit HH, and Exhibit II. All other proposed redactions are **DENIED**.

IT IS SO ORDERED.

Dated: June 5, 2015.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE