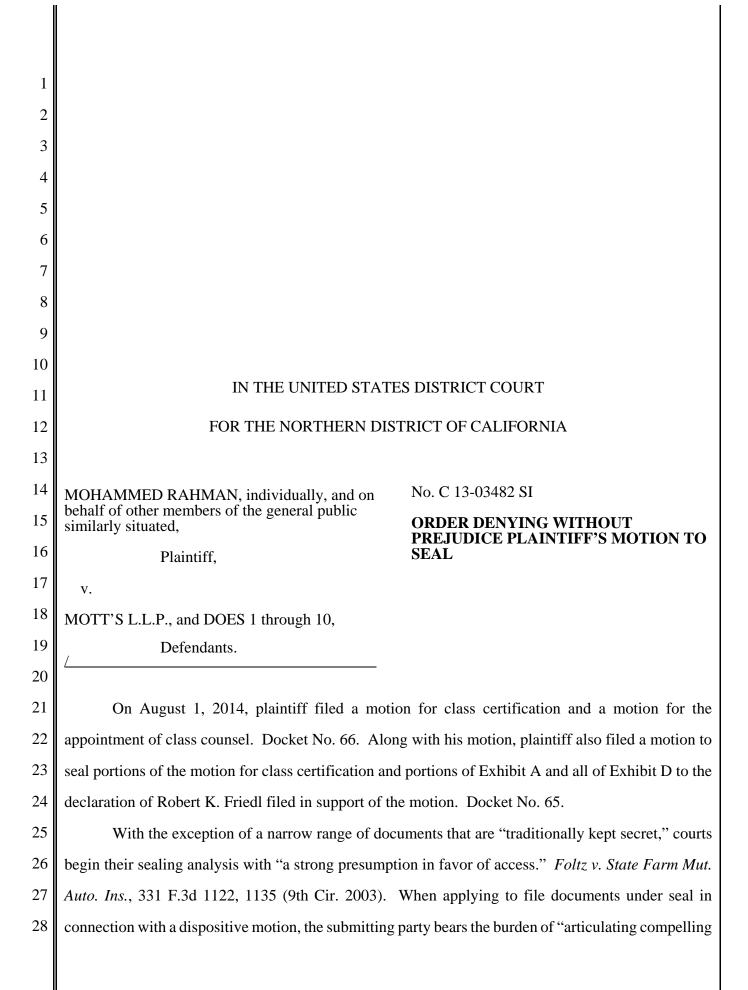
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United States District Court For the Northern District of California

reasons supported by specific factual findings that outweigh the general history of access and the public 1 2 policies favoring disclosure, such as the public interest in understanding the judicial process." 3 Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1178-79 (9th Cir. 2006) (internal quotations 4 and citations omitted). However, when a party seeks to seal documents attached to a non-dispositive 5 motion, a showing of "good cause" under Federal Rule of Civil Procedure 26(c) is sufficient. Id. at 1179-80; see also Fed. R. Civ. P. 26(c). In addition, all requests to file under seal must be "narrowly 6 7 tailored," such that only sealable information is sought to be redacted from public access. N.D. Cal. Civil Local Rule 79-5(b). 8

9 "The Ninth Circuit has not ruled as to whether a motion for class certification is a dispositive 10 motion for the purposes of determining whether the 'compelling reasons' standard applies." Labrador v. Seattle Mortgage Co., No. 08-2270 SC, 2010 U.S. Dist. LEXIS 95763, at *5 (N.D. Cal. Sept. 1, 11 12 2010). "Although courts in the Northern District 'have generally considered motions for class 13 certification nondispositive,' some have recognized that 'there may be circumstances in which a motion for class certification is case dispositive." Ramirez v. Trans Union, LLC, 2014 U.S. Dist. LEXIS 14 67206, at *5 (N.D. Cal. May 15, 2014) (citations omitted). For example, "a motion for class 15 16 certification might be dispositive if 'a denial of class status means that the stakes are too low for the named plaintiffs to continue the matter." In re High-Tech Emp. Antitrust Litig., 11-CV-02509-LHK, 17 18 2013 U.S. Dist. LEXIS 6606, at *8 n.1 (N.D. Cal. Jan. 15, 2013) (quoting Prado v. Bush, 221 F.3d 1266, 19 1274 (11th Cir. 2000)).

20 In the motion and the supporting declaration, plaintiff states that he is moving to seal the portions 21 of the motion for class certification and Exhibits A and D to the Friedl declaration because these 22 documents contain information that has been designated as confidential by defendant pursuant to the 23 protective order in this case. Docket No. 65 at 1; Docket No. 65-1, Friedl Decl. ¶ 2-5. Under Civil 24 Local Rule 79-5(e), where "the Submitting Party is seeking to file under seal a document designated as 25 confidential by the opposing party or a non-party pursuant to a protective order . . . [,] [w]ithin 4 days 26 of the filing of the Administrative Motion to File Under Seal, the Designating Party must file a 27 declaration as required by subsection 79-5(d)(1)(A) establishing that all of the designated material is 28 sealable." To date, the designating party has not filed the required declaration. Accordingly, the Court United States District Court For the Northern District of California **IT IS SO ORDERED.** Dated: August 7, 2014 SUSAI STON United States District Judge ¹ If after seven days, no party files the required declaration, then plaintiff must publicly file the documents at issue within seven days from that date pursuant to Civil Local Rule 79-5(f)(2).

DENIES plaintiff's motion to seal. Docket No. 65. This denial is without prejudice to the designating
party filing the declaration required by Civil Local Rule 79-5(d)(1)(A) within seven days from the date
this order is filed.¹