

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PETE LIVINGSTON,
Plaintiff,

v.

ART.COM, INC., et al.,
Defendants.

Case No. [13-cv-03748-JSC](#)

**ORDER GRANTING
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

Re: Dkt. No. 98

Presently before the Court is Plaintiff Pete Livingston’s administrative motion to file under seal the Royalty Report that the Court ordered Plaintiff to submit in support of its motion for default judgment. (Dkt. No. 98.) Plaintiff contends that sealing is appropriate because the Royalty Report contains the confidential sales records of Culturenik Publishing, Inc.—a defendant in the related action that the Court severed from this case. (Id. at 2; see also Dkt. No. 35.) In support of its motion to seal, Plaintiff highlights the declaration of Patrick Smith, which was submitted in the connection with summary judgment briefing in the related action. (Id.; see also Dkt. Nos. 56-2, 56-1 ¶ 3.) According to Smith, “[t]he royalty reports . . . are confidential to Culturenik, as they reveal sensitive information concerning the royalty rates paid by Culturenik for several of its products.” (Dkt. No. 56-1 ¶ 3.) In addition, Plaintiff notes that the Court previously allowed Plaintiff to file the Royalty Report under seal in the related litigation, finding a compelling reason to seal the document. (Id.; see Dkt. No. 57-4; Dkt. No. 64.) So it is here.

Accordingly, the Plaintiff’s Administrative Motion is GRANTED. Exhibit A (Dkt. No. 98-2) to Plaintiff’s Supplemental Brief and Administrative Motion to File Under Seal Royalty Report of Pete Livingston’s Declaration in Support of Plaintiff’s Motion for Default Judgment

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shall be filed under seal consistent with this Order.

IT IS SO ORDERED.

Dated: January 15, 2015



JACQUELINE SCOTT CORLEY
United States Magistrate Judge