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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AI-DAIWA, LTD.,
Plaintiff,
v.
APPARENT, INC., et al.,
Defendants.

Case No. 13-cv-04156-VC

ORDER DENYING MOTIONS TO SEAL
Docket Nos. 153, 158, 166, and 176

The parties' motions to seal in connection with Apparent's partial motion for summary judgment (Dkt. No. 153), AI-Daiwa's opposition (Dkt. 158), Apparent's reply (Dkt. No. 166), and Apparent's opposition to AI-Daiwa's motion to strike (Dkt. No. 176) are denied. As an initial matter, the parties' sealing requests are not narrowly tailored to cover only potentially sealable information. To the contrary, for every exhibit the parties have attempted to seal, they have proposed sealing the entire document. This is improper, and the motions to seal are denied for this reason alone.

If the parties wish, they may resubmit their motions to seal within seven days; otherwise, they must be filed publicly. The parties should note that the Court is of the tentative view that the information should be filed publicly. It appears as if the parties' primary rationale for sealing is that certain documents were designated as confidential in the parties' protective order. But "[r]eference to a stipulation or protective order that allows a party to designate certain documents as confidential is not sufficient to establish that a document, or portions thereof, are sealable," N.D. Cal Local Rule 79-5(d)(1)(A). Further, for documents in connection with a dispositive motion – like those connected to Apparent's motion for summary judgment, AI-Daiwa's opposition, and Apparent's reply – the parties must do more than show good cause for sealing; rather, they must put forth compelling reasons supported by specific factual findings for why the

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information should be sealed. *Kamakana v. City of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006).

Accordingly, the motions to seal are denied.

IT IS SO ORDERED.

Dated: September 8, 2015



VINCE CHHABRIA
United States District Judge