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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MAYER HOFFMAN MCCANN, P.C.,

Plaintiff,

v.

CAMICO MUTUAL INSURANCE
COMPANY,

Defendant.

Case No. [15-cv-01207-SI](#)

**ORDER DENYING DEFENDANT'S
MOTION FOR SUMMARY
JUDGMENT; DENYING
ADMINISTRATIVE MOTIONS TO
FILE UNDER SEAL**

Re: Dkt. Nos. 78, 81, 84

On March 17, 2017, the Court held a hearing on defendant’s renewed motion for summary judgment. The Court finds that there are disputes of fact that must be resolved at trial, and accordingly, the Court DENIES defendant’s motion for summary judgment.¹

In addition, the Court finds that the supplemental declaration filed in support of the administrative motions to seal does not comply with Civil Local Rule 79-5(d)(1)(A). The supplemental declaration only states generally that the documents at issue – which include all of the 28 exhibits attached to the Compendium of Exhibits – “contain proprietary business information regarding potential mergers as well as confidential financial information.” Dkt. No. 89 (Cutbirth Decl.). This declaration does not demonstrate a “particularized showing” of “good cause” why the material should be filed under seal. *See Kamakana v. City and County of*

¹ The Court previously set aside the judgment and the February 17, 2016 summary judgment order, and thus all issues relevant to the parties’ claims and counterclaims (including, *inter alia*, whether the Reinstatement Endorsement provided illusory coverage and whether the language of the Endorsement is clear and conspicuous) are in dispute and shall be resolved at trial.

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Honolulu, 447 F.3d 1172, 1180 (9th Cir. 2006) (“Thus, ‘compelling reasons’ must be shown to seal judicial records attached to a dispositive motion. The ‘compelling reasons’ standard is invoked even if the dispositive motion, or its attachments, were previously filed under seal or protective order.”) (internal citation omitted). The Court DENIES the administrative motions to seal, and the parties are directed to file public versions of the material at issue.

IT IS SO ORDERED.

Dated: March 20, 2017



SUSAN ILLSTON
United States District Judge