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

N'KAYLA BARNES,
Plaintiff,
v.
MONUMENT SECURITY, INC.,
Defendant.

Case No. [16-cv-03281-MMC](#)

**ORDER VACATING HEARING ON
DEFENDANT RD/JET, LLC'S MOTION
TO DETERMINE GOOD FAITH OF
SETTLEMENT; DIRECTIONS TO
RD/JET, LLC**

Re: Dkt. No. 37

Before the Court is the Motion to Determine Good Faith Settlement, filed July 7, 2017, by defendant RD/JET, LLC ("RD/JET"), erroneously sued as Jetro Holdings, LLC, by which RD/JET seeks, pursuant to section 877.6 of the California Code of Civil Procedure, a determination of good faith as to the settlement it has reached with plaintiff N'Kayla Barnes ("Barnes"). On July 21, 2017, Barnes filed a statement of non-opposition. No opposition or statement of non-opposition has been filed by Monument Security, Inc. ("Monument"), the only other defendant named in the above-titled action. Having read and considered the papers filed in support of the motion, the Court hereby VACATES the August 11, 2017, hearing and rules as follows.

Under section 877.6, a court may determine a settlement between a plaintiff "and one or more alleged tortfeasors or co-obligors" was made in good faith. See Cal. Code Civ. Proc. § 877.6(a). A determination of good faith "bar[s] any other joint tortfeasor or co-obligor from any further claims against the settling tortfeasor or co-obligor for equitable comparative contribution, or partial or comparative indemnity, based on comparative negligence or comparative fault." See id. § 877.6(c).

Here, given Monument's lack of response to the motion, it would appear that the

1 sole non-settling defendant does not anticipate bringing a claim for contribution or
2 indemnity. Nevertheless, the Court, on the possibility such a claim could be brought, has
3 reviewed the record provided to date by the parties, and finds the record contains
4 insufficient evidence upon which to make the requested determination.

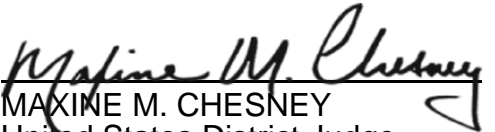
5 Accordingly, if RD/JET wishes to proceed with the instant motion, it is hereby
6 DIRECTED to file and serve on all parties, no later than August 2, 2017, one or more
7 supplemental declarations, setting forth the amount of the settlement and an explanation
8 as to why it is adequate.¹ In the event such supplemental materials are filed, Monument
9 may file, no later than August 9, 2017, a response thereto, and, unless the parties are
10 otherwise advised, the motion will stand submitted as of that date.

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12 **IT IS SO ORDERED.**

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14 Dated: July 26, 2017

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16 MAXINE M. CHESNEY
17 United States District Judge

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¹ In its motion, RD/JET states the settlement agreement is “confidential.” (See Mot. at 3:23.) If, in connection with any supplemental submission, a sealing motion is filed, RD/JET is advised that it “must make a particularized showing that specific harm or prejudice will result if the information [it seeks to file under seal] is disclosed.” See, e.g., Select Portfolio Servicing v. Valentino, No. C 12-0334 SI, 2013 WL 1800039, at *2 (N.D. Cal. Apr. 29, 2013) (discussing sufficiency of showing made in support of request to file under seal materials submitted in connection with motion for determination of good faith settlement).