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

JOYCE BENTON,  
Plaintiff,  
v.  
CLARITY SERVICES, INC.,  
Defendant.

Case No. [16-cv-06583-MMC](#)

**ORDER GRANTING IN PART AND  
DEFERRING RULING IN PART ON  
DEFENDANT'S ADMINISTRATIVE  
MOTION TO SEAL**

Re: Dkt. No. 64

Before the Court is defendant Clarity Services, Inc.'s ("Clarity") unopposed "Administrative Motion to Seal," filed December 28, 2017.

"A sealing order may issue only upon a request that establishes that the document, or portions thereof, is privileged or protectable as a trade secret or otherwise entitled to protection under the law." See Civil L.R. 79-5(a). "The request must be narrowly tailored to seek sealing only of sealable material." See id.

By the instant motion, Clarity seeks leave to file under seal twelve documents submitted in connection with Clarity's motion for summary judgment. The Court, having reviewed the declaration filed in support thereof, finds Clarity has shown good cause exists to seal six of those twelve documents, specifically, Exhibits CC, A, G, F, M, and R to the "Declaration of Sean Dunham in Support of Clarity Services, Inc.'s Motion for Summary Judgment" ("Dunham Declaration").

As to Exhibits H, J, K, and T through V to the Dunham Declaration, however, Clarity has not made a sufficient showing that said exhibits are sealable in their entirety. In that regard, Clarity states the exhibits "include commercially sensitive information" (see David M. Gettings Decl. ¶ 5), but, with the exception of "product pricing information"

1 (see id.), which the Court agrees is appropriately filed under seal, Clarity has not  
2 identified such sensitive information, let alone explained why any such information is  
3 “privileged or protectable as a trade secret or otherwise entitled to protection under the  
4 law,” see Civil L.R. 79-5(a).

5 Accordingly, for the reasons stated above:

6 1. To the extent Clarity seeks an order sealing (a) Exhibits CC, A, G, F, M, and R  
7 to the Dunham declaration, and (b) the portions of Exhibits H, J, K, and T through V  
8 pertaining to product pricing information, the motion to seal is hereby GRANTED.

9 2. To the extent Clarity seeks an order sealing the balance of Exhibits H, J, K, and  
10 T through V, the Court hereby DEFERS ruling and affords Clarity leave to file, no later  
11 than January 24, 2018, one or more declaration(s) in support of the sealing thereof.

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13 **IT IS SO ORDERED.**

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15 Dated: January 10, 2018

  
MAXINE M. CHESNEY  
United States District Judge

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