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

JULEANA STEWART,
Plaintiff,
v.
CITY OF OAKLAND, et al.,
Defendants.

Case No. [17-cv-04478-MMC](#)

**ORDER GRANTING IN PART AND
DENYING IN PART DEFENDANT
FRANK MORROW'S MOTION TO FILE
UNDER SEAL; DIRECTIONS TO
MORROW**

Re: Dkt. No. 87

Before the Court is defendant Frank Morrow's ("Morrow") "Administrative Motion to File Under Seal a Document Submitted in Support of [] Morrow's Motion to Dismiss Plaintiff's Second Amended Complaint," filed September 17, 2018, by which Morrow seeks leave to file under seal portions of a Brentwood Police Department Report (the "Report") that was presented to the Court at a hearing held September 7, 2018, on Morrow's motion to dismiss. Although the title of the motion ordinarily would suggest the Report is the sole document for which a sealing order is sought, Morrow, in connection with said motion, has filed under seal all of the following: (1) an unredacted version of the Report; (2) a redacted version of the Report; (3) the instant motion; (4) a declaration by his counsel of record; and (5) a proposed order.

Having read and considered the above-referenced filings, the Court rules as follows.

1. To the extent Morrow seeks leave to file under seal the unredacted version of the Report (see Dkt. No. 87-2) (Taylor Decl. Ex. 1), the motion is hereby GRANTED, and said document shall remain under seal.
2. To the extent Morrow seeks leave to file under seal the redacted version of the

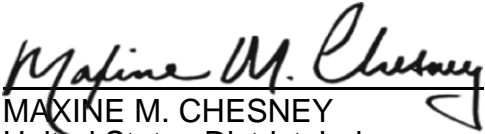
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Report (see Dkt. No. 87-3) (Taylor Decl. Ex. 2), the motion is hereby DENIED, see Civ. L.R. 79-5(c) (providing “[o]nly the unredacted version of a document sought to be sealed[] may be filed under seal before a sealing order is obtained”); see also id. 79-5(b) (providing “request must be narrowly tailored to seek sealing only of sealable material”), and Morrow is hereby DIRECTED to file said document in the public record within seven days of the date of this order.

3. To the extent Morrow seeks leave to file under seal the instant motion (see Dkt. No. 87) and his counsel’s declaration (see Dkt. No. 87-1), the motion is hereby DENIED, see Civ. L.R. 79-5(b), (c), and Morrow is hereby DIRECTED to file said documents in the public record within seven days of the date of this order.
4. To the extent Morrow seeks leave to file under seal the proposed order (see Dkt. No. 87-4), the motion is hereby GRANTED, for the reason that said document contains sealable portions of the Report, and the Court has issued the instant order in lieu thereof.¹

IT IS SO ORDERED.

Dated: September 21, 2018


MAXINE M. CHESNEY
United States District Judge

¹ Although a proposed order must “list[] in table format each document or portion thereof that is sought to be sealed,” see Civ. L.R. 79-5(d)(1)(B), such list should not include the sealable content of any such document.