

United States District Court  
Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THOMAS A. SHIELDS, et al.,  
Plaintiffs,  
v.  
FÉDÉRATION INTERNATIONALE DE  
NATATION,  
Defendant.

---

INTERNATIONAL SWIMMING  
LEAGUE  
LTD,  
Plaintiff,  
v.  
FÉDÉRATION INTERNATIONALE DE  
NATATION,  
Defendant.

Case No. 3:18-cv-07393  
Case No: 3:18-cv-07394

**ORDER RE: PLAINTIFFS’  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL**

Dkt. No. 181

Plaintiffs move to file under seal portions of their Joint Letter Brief Regarding 30(b)(6) Topics (“Letter Brief”) that reference documents obtained from Defendant through discovery, and that Defendant designated as “confidential” under the parties’ stipulated Protective Order. Plaintiffs submit the declaration of counsel Joshua W. Malone, who attests that Plaintiffs were required to file the material under seal pursuant to “Paragraph 13.3 of the Protective Order[.]” (Dkt. No. 181-1 at ¶ 4).

Under the Local Rules of this District, where a party seeks to file under seal any material designated as confidential by another party, the submitting party must file a motion for a sealing order. See Civil L.R. 79-5(d)-(e). “Within 4 days of the filing of the Administrative Motion to File Under Seal, the Designating Party must file a declaration . . . establishing that all of the

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

designated information is sealable.” Id. at 79-5(e)(1). “If the Designating Party does not file a responsive declaration as required by subsection 79-5(e)(1) and the Administrative Motion to File Under Seal is denied, the Submitting Party may file the document in the public record no earlier than 4 days, and no later than 10 days, after the motion is denied.” Id. at 79-5(e)(2).

To date, the designating party has not filed a responsive declaration to the above-referenced motion. Having considered the submission of the parties and for the reasons stated above, the Court DENIES Plaintiffs’ administrative motion to seal.

**IT IS SO ORDERED.**

Dated: October 16, 2020

  
\_\_\_\_\_  
JACQUELINE SCOTT CORLEY  
United States Magistrate Judge