

1
2 IN THE UNITED STATES DISTRICT COURT
3
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA

5 ARMANDO PLASCENCIA and MELANIA
6 PLASCENCIA, individually and on
7 behalf of all others similarly
situated,

8 Plaintiffs,

9 v.

10 LENDING 1st MORTGAGE; LENDING 1st
11 MORTGAGE, LLC; EMC MORTGAGE
CORPORATION; and DOES 1 through 10
inclusive,

12 Defendants.
13 _____/

No. C 07-04485 CW

ORDER DENYING MOTION
TO SEAL
(Docket No. 229)

14 Plaintiffs Armando Plascencia and Melania Plascencia move for
15 leave to file under seal their reply in support of their motion to
16 amend the class certification order. Plaintiffs maintain that this
17 document contains information that EMC designated as confidential.

18 Because the public interest favors filing all court documents
19 in the public record, any party seeking to file a document under
20 seal must demonstrate good cause to do so. Pintos v. Pac.
21 Creditors Ass'n, 565 F.3d 1106, 1115 (9th Cir. 2009). This cannot
22 be established simply by showing that the document is subject to a
23 protective order or by stating in general terms that the material
24 is considered to be confidential, but rather must be supported by a
25 sworn declaration demonstrating with particularity the need to file
26 each document under seal. See Civil L.R. 79-5(a). If a document
27 has been designated as confidential by another party, that party
28

1 must file a declaration establishing that the document is sealable.
2 Civ. Local R. 79-5(d).

3 EMC did not file a declaration in support of Plaintiffs'
4 motion to seal. Accordingly, Plaintiffs' motion to seal is DENIED
5 (Docket No. 229). The Court notes that Plaintiffs already have
6 filed an unredacted version of their reply in the public record.

7 IT IS SO ORDERED.

8
9 Dated: 11/12/2010



CLAUDIA WILKEN
United States District Judge