

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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4 ARMANDO PLASCENCIA; and MELANIA
5 PLASCENCIA, individually and on
6 behalf of all others similarly
7 situated,

8 Plaintiffs,

9 v.

10 LENDING 1ST MORTGAGE; LENDING 1ST
11 MORTGAGE, LLC; EMC MORTGAGE
12 CORPORATION; and DOES 1-10,
13

14 Defendants.

No. C 07-4485 CW

ORDER DENYING
PLAINTIFFS'
MOTIONS TO FILE
UNDER SEAL (Docket
No. 371 and 375)

United States District Court
For the Northern District of California

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On July 27, 2012, Plaintiffs Armando and Melania Plascencia filed two motions to file under seal. In the first, they sought to file under seal Exhibits A and B to the declaration of J. Mark Moore, offered in support of their omnibus memorandum of law in opposition to Defendant EMC Mortgage LLC's motion to decertify the class, in opposition to EMC's motion for summary judgment and in support of Plaintiffs' motion for partial summary judgment, and their unredacted memorandum of law. Docket No. 371. In the second, they moved to file under seal Exhibit A to the declaration of Lee A. Weiss, offered in support of their opposition to EMC's motion to exclude the testimony of Len Lyons, and their unredacted opposition. Docket No. 375. Plaintiffs represent that EMC has designated these documents as confidential.


On August 2, 2012, EMC filed a declaration regarding Plaintiffs' motions to seal. See Overbey Decl., Docket No. 381. In the declaration, EMC states that it "has already waived or now

1 waives the confidentiality designations for all of the exhibits"
2 to the Moore and Weiss declarations and any references to these
3 documents in Plaintiffs' briefs. Id. at ¶¶ 5, 7.

4 Accordingly, Plaintiffs' motions for leave to file documents
5 under seal are DENIED (Docket No. 371 and 375). Within four days
6 of the date of this Order, Plaintiffs shall file in the public
7 record their unredacted briefs, Exhibits A and B to the Moore
8 declaration and Exhibit A to the Weiss declaration.

9 IT IS SO ORDERED.

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11 Dated: 8/20/2012

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14 CLAUDIA WILKEN
15 United States District Judge
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