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

JERRY TRAHAN,

No. C 09-03111 JSW

Plaintiff,

**ORDER IMPOSING SANCTIONS**

v.

U.S. BANK NATIONAL ASSOCIATION,

Defendant.

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On October 14, 2014, Defendant filed an administrative motion to seal Exhibits 47 and 48 to Plaintiff's opposition to Defendant's motion to decertify the class. As the Court previously stated, Defendant had submitted these exhibits in support of its motion to decertify the class, with an administrative motion to seal. Notwithstanding that fact, Plaintiff, through counsel, filed the documents in the public record when he filed his opposition to the motion to decertify. Accordingly, the Court issued an Order to Show Cause, directing Plaintiff's counsel to show cause why the Court should not impose monetary sanctions on him. (*See* Docket No. 169.)

Plaintiff's counsel states that he did not believe there was any valid order in place directing that the documents be filed under seal and, therefore, deferred to the presumption of public access. Plaintiff's counsel also states that "none of the procedures under Local Rule 79-5 had been satisfied," although he fails to explain this in greater detail. Although there was no order in this Court that permitted the documents to be filed under seal, that is because the Court had not yet ruled on Defendant's motion.

