

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

5 SLEEP SCIENCE PARTNERS, INC., a
6 California corporation,

7 Plaintiff,

8 v.

9 AVERY LIEBERMAN, an individual;
10 KATRINA WEBSTER, an individual;
11 DANIEL WEBSTER, an individual;
12 SLEEPING WELL, LLC,

13 Defendants.

No. C 09-4200 CW

ORDER DENYING
DEFENDANTS' MOTION
TO SEAL
(Docket No. 150)

14 Defendants Katrina Webster, et al.,¹ move for leave to file
15 under seal portions of their brief, the Declaration of Gary L.
16 Franklin and various exhibits, all filed in support of their
17 opposition to Plaintiff Sleep Science Partners, Inc.'s motion for
18 leave to file an amended complaint. Plaintiff designated as
19 confidential the sections Defendants ask the Court to seal.
20 Plaintiff has filed a declaration in support of Defendants' motion
21 to seal.

22 Because the public interest favors filing all court documents
23 in the public record, any party seeking to file a document under
24 seal must demonstrate good cause to do so. Pintos v. Pac.
25 Creditors Ass'n, 605 F.3d 665, 678 (9th Cir. 2010). This cannot be
26 established simply by showing that the document is subject to a

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28 ¹ Plaintiff's claims against Defendant Avery Lieberman have
been dismissed. (Docket No. 143.)

1 protective order or by stating in general terms that the material
2 is considered to be confidential, but rather must be supported by a
3 sworn declaration demonstrating with particularity the need to file
4 each document under seal. See Civ. L.R. 79-5(a). If a document
5 has been designated as confidential by another party, that party
6 must file a declaration establishing that the document is sealable.
7 Civ. L.R. 79-5(d).

8 Plaintiff does not establish good cause to seal the sections
9 implicated by Defendants' motion to seal. Plaintiff states only
10 that the sections "concern the identity" of its vendors. Flick
11 Decl. ¶ 3. Plaintiff, however, does not explain why this
12 information must be sealed.

13 Accordingly, the Court DENIES Defendants' motion to seal.
14 (Docket No. 150). Within four days of the date of this Order,
15 Defendants shall file unredacted versions of their documents in the
16 public record. Civ. L.R. 79-5(e).

17 IT IS SO ORDERED.

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19 Dated: 5/25/2011



CLAUDIA WILKEN
United States District Judge

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