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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

TODD ASHKER, *et al.*,

Plaintiffs,

v.

GOVERNOR OF THE STATE OF
CALIFORNIA, *et al.*,

Defendants.

Case No.: 4:09-cv-05796-CW

CLASS ACTION

**ORDER GRANTING
PLAINTIFFS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL**

The Court has received Plaintiffs' Administrative Motion to File Under Seal, and the Declaration of Carmen Bremer in support of the same. Pursuant to Civil Local Rule 79-5(a), Plaintiffs have shown that the portions of the documents to be sealed are entitled to protection under the law because they contain confidential information that Defendants claim could harm CDCR institutional safety and security if disclosed. *See Dugan v. Lloyds TSB Bank, PLC*, No. 12-cv-02549-WHA (NJV), 2013 U.S. Dist. LEXIS 51162, at *5 (N.D. Cal. Apr. 9, 2013) (finding that good cause may exist to seal records "if disclosure of the information might harm a litigant's competitive standing"). Plaintiffs have met the "good cause" standard for sealing portions of Plaintiff's Motion to Extend the Settlement Agreement, portions of the Declarations of Rachel Meeropol, Samuel Miller, and Carmen Bremer in Support of Plaintiffs' Motion to

1 Extend the Settlement Agreement, as well as Exhibits A through RR to such Meeropol
2 declaration, Exhibits 34 through 59 to such Miller declaration, and Exhibits a through o, t, u, w,
3 and y to such Bremer declaration (collectively, the “Confidential Material”), because Plaintiffs
4 have shown that they contain confidential information that Defendants claim would harm
5 institutional safety and security, and would further compromise ongoing investigations of
6 alleged prison gang activity if disclosed. *See Kamakana v. City & Cnty. of Honolulu*, 447 F.3d
7 1172, 1179 (9th Cir. 2006).¹

8 Having considered Plaintiffs’ Administrative Motion to File Under Seal and the
9 Declaration of Carmen Bremer in support of same, and good cause appearing therefor,
10 Plaintiffs’ Motion is hereby GRANTED.

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12 IT IS SO ORDERED.

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14 Dated: Nov. 30, 2017

By:



Honorable Robert M. Illman
United States Magistrate Judge

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26 ¹ ~~To the extent Plaintiffs’ Motion to Extend the Settlement Agreement is properly considered a~~
27 ~~dispositive motion within the procedural context of this case, this Court further finds that there are~~
28 ~~“compelling reasons” supporting the secrecy of the Confidential Materials. *Kamakana*, 447 F.3d~~
~~at 1180.~~