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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONALD GOLDEN,
Plaintiff,

v.

CALIFORNIA EMERGENCY
PHYSICIANS MEDICAL GROUP, et al.,
Defendants.

Case No. [10-cv-00437-JSW](#)

**ORDER DENYING IN PART AND
RESERVING IN PART STIPULATION
TO FILE UNDER SEAL**

Re: Dkt. No. 139

The parties have filed a stipulation to file certain exhibits to the Declaration of Richard Raines C. Raines under seal. The parties' stipulation does not conform with the requirements of Northern District Civil Local Rule 79-5(b), which provides that

[e]xcept as provided in Civil L.R. 79-5(c), no document may be filed under seal (i.e., closed to inspection by the public) except pursuant to a court order that authorizes the sealing of the particular document, or portions thereof. A sealing order may issue only upon a request that establishes that the document, or portions thereof, are privileged, protectable as a trade secret or otherwise entitled to protection under the law (hereinafter referred to as "sealable"). The request must be narrowly tailored to seek sealing only of sealable material, and must conform with Civil L.R. 79-5(d).

The fact that a party may have designated material as confidential, pursuant to a protective order, does not render that document "sealable," as that term is defined under Local Rule 79-5.

Defendants included Exhibit B to the Raines Declaration as part of exhibit to the Declaration of Sarah Robertson, and they did not seek to seal that document. Accordingly, the motion to seal Exhibit B to the Raines Declaration is denied.

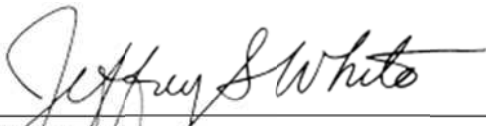
Under Local Rule 79-5(e), if a party seeks to file a document under seal that the opposing party has designated as confidential, the opposing party must submit a declaration demonstrating that the document is sealable. Before the Court rules on whether Exhibit F to the Raines

1 Declaration may be filed under seal, it will give Defendants an opportunity to comply with that
2 rule.

3 Defendants shall submit a declaration setting forth facts supporting their assertion that
4 Exhibit F contains material that is “sealable” by June 10, 2016.

5 IT IS SO ORDERED.

6 Dated: June 3, 2016

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9 JEFFREY S. WHITE
10 United States District Judge
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