

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

CENTRIFY CORPORATION,

Plaintiff,

v.

QUEST SOFTWARE, INC.,

Defendant.

No. C 10-3873 CW

ORDER REGARDING
DEFENDANT'S
ADMINISTRATIVE
MOTION TO FILE
UNDER SEAL
(Docket No. 113)

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United States District Court
For the Northern District of California

11 On December 2, 2011, Defendant Quest Software, Inc., filed an
12 administrative motion to file under seal Exhibits B through H in
13 support of its Opposition to Plaintiff Centrify Corporation's
14 Motion for Relief from Case Management Schedule. In support of
15 its motion, Defendant submits a declaration stating that Exhibits
16 B through H contain information designated as "Highly
17 Confidential-Attorneys' Eyes Only" under the protective order in
18 this case.

19 Because the public interest favors filing all court documents
20 in the public record, any party seeking to file a document under
21 seal must demonstrate good cause to do so. Pintos v. Pac.
22 Creditors Ass'n, 605 F.3d 665, 678 (9th Cir. 2010). This cannot
23 be established simply by showing that the document is subject to a
24 protective order or by stating in general terms that the material
25 is considered to be confidential, but rather must be supported by
26 a sworn declaration demonstrating with particularity the need to
27 file each document under seal. See Civil L.R. 79-5(a). If a
28 document has been designated as confidential by another party,

1 that party must file a declaration establishing that the document
2 is sealable. Civ. Local R. 79-5(d).

3 Defendant's declaration makes only conclusory statements that
4 Exhibits B through H are subject to a blanket protective order and
5 does not provide specific information establishing that the
6 documents, or portions thereof, are privileged or protectable as a
7 trade secret or otherwise entitled to protection under the law, as
8 required under Local Rule 79-5(a). As such, Defendant has not
9 provided sufficient information to support the filing of the
10 documents under seal at this time.

11 Defendant shall be permitted four days from the date of this
12 order to provide additional information to conform with Local Rule
13 79-5. If Defendant fails to do so, its motion will be denied.
14 Filings made hereunder may not exceed five pages, excluding
15 declarations and exhibits.

16 IT IS SO ORDERED.

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18 Dated: 12/5/2011

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CLAUDIA WILKEN
United States District Judge