

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 DENYING
DEFENDANT'S
ADMINISTRATIVE
MOTION TO FILE
UNDER SEAL
(Docket No. 117)

_____ /

United States District Court
For the Northern District of California

11 On December 5, 2011, Defendant Quest Software, Inc., filed an
12 amended administrative motion to file under seal Exhibits B
13 through G in support of its Opposition to Plaintiff Centrify
14 Corporation's Motion for Relief from Case Management Schedule. In
15 support of its motion, Defendant submits a declaration stating
16 that Exhibits B through G contain information designated as
17 "Highly Confidential-Attorneys' Eyes Only" under the protective
18 order in this case and describing the information contained in
19 each exhibit.

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

1 document has been designated as confidential by another party,
2 that party must file a declaration establishing that the document
3 is sealable. Civ. Local R. 79-5(d).

4 Defendant does not establish good cause to seal Exhibits B
5 through G. Defendant describes the contents of each exhibit and
6 states that they are confidential or highly confidential. Armon
7 Decl. ¶¶ 2-7. While Defendant explains the contents of the
8 exhibits, Defendant does not explain why this information must be
9 sealed. See Phillips v. GMC, 307 F.3d 1206, 1210-1211 (9th Cir.
10 2002) ("For good cause to exist, the party seeking protection
11 bears the burden of showing specific prejudice or harm will
12 result" if public disclosure is permitted.).

13 Accordingly, the Court DENIES Defendant's motion to seal.
14 (Docket No. 117). Within four days of the date of this Order,
15 Defendant may file unredacted versions of their documents in the
16 public record or may withdraw the exhibits. Civ. L.R. 79-5(e).

17 IT IS SO ORDERED.

18
19 Dated: 12/13/2011

20
21
22
23
24
25
26
27
28


CLAUDIA WILKEN
United States District Judge