

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

JOHN CAMPOLO,

Plaintiff,

v.

AETNA LIFE INSURANCE COMPANY;
OFFICE DEPOT TEMPORARY DISABILITY
PLAN; OFFICE DEPOT LONG TERM
DISABILITY PLAN,

Defendants.

No. C 10-5634 CW

ORDER DENYING
PLAINTIFF'S
ADMINISTRATIVE
MOTION FOR A
SEALING ORDER,
Docket No. 40.

On March 29, 2012, Plaintiff filed an administrative motion, pursuant to this Court's Local Rule 79-5(d), requesting an order sealing portions of his Opening Trial Brief and certain supporting documents. Docket No. 40. Plaintiff failed to submit the required supporting declaration and did not otherwise identify the portions of the brief or exhibits that he wished to seal. Accordingly, the motion to seal is denied.

On April 3, 2012, Plaintiff filed his trial brief in a redacted form along with a supporting declaration and exhibits. One exhibit, Exhibit D was redacted.

On April 4, 2012, Plaintiff filed an amended administrative motion to seal, pursuant to Rule 79-5(d). Again the motion was

1 not accompanied by a supporting declaration. However, in
2 paragraph five of Plaintiff's counsel's declaration in support of
3 the Opening Trial Brief, counsel identified and explained the
4 items Plaintiff seeks to seal in the amended administrative
5 motion. Docket No. 44. In addition, Plaintiff manually submitted
6 unredacted versions of the Trial Brief and Exhibit D. These
7 manually submitted items will allow the Court to evaluate the
8 motion.

9 However, it is not evident that Plaintiff has served them on
10 Defendant Aetna Life Insurance Company, such that Aetna is able to
11 review the motion and submit a declaration, as required under Rule
12 79-5(d), if it wishes to support the motion to seal. Therefore,
13 Plaintiff shall file a certificate of service within one day,
14 confirming that it has served the motion, declaration and
15 unredacted versions of the brief and Exhibit D. The Court will
16 defer ruling on the motion for seven days following Plaintiff's
17 submission of the certificate of service to allow Aetna to
18 respond.

19 Plaintiff shall familiarize himself with Local Rule 79-5 to
20 facilitate future motions for a sealing order.

21 IT IS SO ORDERED.

22
23 Dated: 4/5/2012


CLAUDIA WILKEN
United States District Judge

24
25
26
27
28