

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

3
4 ROANNE HOLMAN; NARCISCO NAVARRO
5 HERNANDEZ; MIGUEL A. ALVAREZ; and
6 all others similarly situated,

7 Plaintiffs,

8 v.

9 EXPERIAN INFORMATION SOLUTIONS,
10 INC.,

11 Defendant.

No. C 11-0180 CW

ORDER REGARDING
PLAINTIFFS'
AMENDED
ADMINISTRATIVE
MOTION TO FILE
UNDER SEAL
(Docket No. 75)

12 _____/

13 Plaintiffs Roane Holman, Narcisco Navarro Hernandez and
14 Miguel A. Alvarez move for leave to file under seal Exhibits D and
15 E and Seven through Eleven of the Declaration of Mark F. Anderson
16 in support of their motion for class certification. Plaintiffs do
17 not seek leave to file an unredacted version of their memorandum
18 of law in support of their motion for class certification;
19 however, Plaintiffs have filed a redacted version of their
20 memorandum in the public record and have submitted an unredacted
21 version to the Court. Plaintiffs represent that Defendant
22 Experian Information Solutions, Inc., has designated these
23 exhibits as confidential. Plaintiffs also state that the
24 confidentiality designations of these exhibits are the subject of
25 a pending discovery dispute before the magistrate judge in this
26 case, though Plaintiffs do not object to filing these exhibits
27 under seal here.

28 Defendant has filed a declaration in support of Plaintiffs'
motion to seal. See Decl. of Kathy Centanni, Docket No. 76. In

1 its declaration, Defendant withdraws its confidentiality
2 designation for Exhibit E in its entirety and withdraws its
3 confidentiality designation for certain portions of Exhibit D.
4 Id. at ¶ 2.

5 Because the public interest favors filing all court documents
6 in the public record, any party seeking to file a document under
7 seal must demonstrate good cause to do so. Pintos v. Pac.
8 Creditors Ass'n, 605 F.3d 665, 678 (9th Cir. 2010). This cannot
9 be established simply by showing that the document is subject to a
10 protective order or by stating in general terms that the material
11 is considered to be confidential, but rather must be supported by
12 a sworn declaration demonstrating with particularity the need to
13 file each document under seal. See Civil L.R. 79-5(a). If a
14 document has been designated as confidential by another party,
15 that party must file a declaration establishing that the document
16 is sealable. Civ. Local R. 79-5(d).

17 Plaintiffs are granted leave to file a motion to seal the
18 unredacted version of their memorandum of law in support of their
19 motion for class certification within four days from the date of
20 this order. If Plaintiffs fail to do so, the Court will consider
21 only the redacted memorandum of law that they already filed in the
22 public record.

23 Defendant has provided reasons supporting the sealing of
24 Exhibits Seven through Eleven and portions of Exhibit E.
25 Accordingly, Plaintiff's amended motion for leave to file
26 documents under seal is GRANTED to the extent it pertains to
27 Exhibits Seven through Eleven and portions of Exhibit E (Docket
28 No. 75). Within three days of the date of this Order, Plaintiff

1 shall electronically file Exhibits Seven through Eleven and an
2 unredacted version of Exhibit E under seal, in accordance with
3 General Order 62. By that date, Plaintiff shall also file Exhibit
4 D and a redacted version of Exhibit E in the public record. After
5 the magistrate judge has issued an order concerning the
6 confidentiality designations of these exhibits under the
7 protective order, Plaintiffs may file a motion to unseal these
8 documents if Plaintiffs are able to demonstrate that the sealed
9 exhibits should be released.

10 IT IS SO ORDERED.

11
12 Dated: 12/13/2011

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


CLAUDIA WILKEN
United States District Judge