

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.  
12 \_\_\_\_\_/

No. C 11-0180 CW

ORDER GRANTING  
PLAINTIFFS'  
ADMINISTRATIVE  
MOTION TO FILE  
PUBLICLY THEIR  
UNREDACTED  
MEMORANDUM IN  
SUPPORT OF THEIR  
MOTION FOR CLASS  
CERTIFICATION AND  
DENYING THEIR  
MOTION TO FILE  
UNDER SEAL  
(Docket Nos. 80  
and 83)

13                                    Plaintiffs Roane Holman, Narcisco Navarro Hernandez and  
14 Miguel A. Alvarez have filed motions seeking leave to file under  
15 seal their unredacted memorandum in support of their motion for  
16 class certification or alternatively to file their unredacted  
17 memorandum in the public record. Plaintiffs represent that the  
18 memorandum references exhibits that Defendant Experian Information  
19 Solutions, Inc., has designated as confidential. Plaintiffs argue  
20 that their class certification motion should be considered a  
21 dispositive motion.

22                                    Because the public interest favors filing all court documents  
23 in the public record, any party seeking to file a document under  
24 seal must demonstrate good cause to do so. Pintos v. Pac.  
25 Creditors Ass'n, 605 F.3d 665, 678 (9th Cir. 2010). When the  
26 filing is connected to a dispositive motion, the party pursuing  
27 sealing "must overcome a strong presumption of access by showing  
28 that 'compelling reasons supported by specific factual

1 findings . . . outweigh the general history of access and the  
2 public policies favoring disclosure.'" Id. at 679 (citation  
3 omitted). Neither standard can be met simply by showing that the  
4 document is subject to a protective order or by stating in general  
5 terms that the material is considered to be confidential, but  
6 rather must be supported by a sworn declaration demonstrating with  
7 particularity the need to file each document under seal. See  
8 Civil Local Rule 79-5(a). If a document has been designated as  
9 confidential by another party, that party must file a declaration  
10 establishing that the document is sealable. Civil Local Rule  
11 79-5(d).

12 Defendant has not filed a declaration in support of  
13 Plaintiffs' motion to seal the unredacted memorandum. Defendant  
14 has also not filed any response or opposition to Plaintiffs'  
15 motion to file the memorandum in the public record.

16 Accordingly, Plaintiffs' motion to seal the unredacted  
17 memorandum is DENIED (Docket No. 83) and Plaintiffs' motion to  
18 file the unredacted memorandum in the public record is GRANTED  
19 (Docket No. 80). Within three days of the date of this Order,  
20 Plaintiffs shall electronically file their unredacted memorandum  
21 in support of their motion for class certification in the public  
22 record.

23 IT IS SO ORDERED.

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25 Dated: 1/4/2012

  
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CLAUDIA WILKEN  
United States District Judge

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