

1  
2  
3 UNITED STATES DISTRICT COURT  
4 NORTHERN DISTRICT OF CALIFORNIA  
5  
6  
7

8 CITY OF OAKLAND, a Municipal  
9 Corporation, Acting By and Through Its Board  
10 of Port Commissioners,

11 Plaintiff-Counterclaim Defendant,

12 v.

13 SSA TERMINALS, LLC, et al.,

14 Defendants-Counterclaimants.

Case No.: 11-01446-YGR

**ORDER REGARDING DEFENDANTS/COUNTER-  
CLAIMANTS' ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL MOTIONS IN LIMINE 7, 8,  
AND 9 AND THEIR EXHIBITS THERETO**

15 Defendants-Counterclaimants ("SSA") seek leave of Court to file under seal three motions in  
16 limine and all exhibits thereto. (Dkt. No. 143.) SSA asserts that certain exhibits have been  
17 designated "Attorneys Eyes Only" and that Plaintiff's counsel stipulated that the motions in limine  
18 should be filed under seal.

19 The Court has reviewed SSA's motion, the declaration submitted in support thereof, and the  
20 motions in limine at issue. The Court **DENIES** SSA's motion to seal with respect to the motions in  
21 limine themselves. SSA has failed to make a sufficient showing under Civ. L-R 79-5 justifying the  
22 sealing of the entire motions in limine, nor has SSA attempted to narrowly tailor the request to seal as  
23 required by the rule. Moreover, Civ. L.R. 79-5(a) specifically provides that "[a] stipulation, or a  
24 blanket protective order that allows a party to designate documents as sealable, will not suffice to  
25 allow the filing of documents under seal." SSA is **ORDERED** to publicly-file motions in limine 7, 8,  
26 and 9 by Monday, April 22, 2013.


27 The Court will not require that SSA publicly-file the exhibits to the motion to seal at this time.  
28 The Court will address the issue of the exhibits by further order or at the Pretrial Conference.

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

This Order terminates Dkt. No. 143.

**IT IS SO ORDERED.**

Dated: April 19, 2013

  
**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**