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2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4

5 PQ LABS, INC.,

No. 12-0450 CW

6 Plaintiff,

ORDER DENYING
MOTION TO SEAL

7 v.

(Docket No. 119)

8 YANG QI, ZAAGTECH, INC., JINPENG
9 LI, and HAIPENG LI,

10 Defendants.
11

12 On February 12, 2014, Plaintiff PQ Labs, Inc., moved to seal
13 an exhibit filed in support of its motions in limine.

14 Specifically, it moved to seal Exhibit A to the declaration of
15 Stephen Ellenberg, which contains Sandeep Chatterjee's expert
16 report.

17 Because the public interest favors filing all court documents
18 in the public record, a party seeking to file a document under
19 seal must demonstrate good cause to do so. Pintos v. Pac.

20 Creditors Ass'n, 605 F.3d 665, 678 (9th Cir. 2010). This cannot
21 be established simply by showing that the document is subject to a
22 protective order or by stating in general terms that the material
23 is considered to be confidential; rather, every sealing request
24 must be supported by a sworn declaration demonstrating with
25 particularity the need to file each document under seal. See
26 Civil L.R. 79-5(d).
27
28

1 Plaintiff has provided a declaration from its counsel, Bonnie
2 Wolf, stating that Chatterjee's expert report contains highly
3 confidential hardware schematics and other sensitive data which
4 Plaintiff has identified as trade secrets in this litigation.
5 While Wolf's declaration supports sealing certain portions of
6 Chatterjee's report, it is not sufficient to support sealing the
7 report in its entirety. See Civil L.R. 79-5(b) (stating that
8 every sealing "request must be narrowly tailored to seek sealing
9 only of sealable material"). The report contains several pages of
10 non-sealable material, including information about Chatterjee's
11 qualifications and background, the methods and materials he used
12 in producing his report, his understanding of California trade
13 secrets law, and general descriptions of the technology he
14 examined. The Wolf declaration does not establish good cause for
15 sealing this material.
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18 Plaintiff's motion to seal (Docket No. 119) is therefore
19 DENIED. Within four days of this order, Plaintiff must file
20 Chatterjee's report in the public record, withdraw it as an
21 exhibit, or file a renewed motion that is "narrowly tailored to
22 seek sealing of only sealable material." Civil L.R. 79-5(b).
23

24 IT IS SO ORDERED.

25 Dated: 2/26/2014

26 
27 CLAUDIA WILKEN
28 United States District Judge