

1
2
3
4
5
6
7
8
9
10
11

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CHRISTOPHER CORCORAN, et al.,

Plaintiffs,

vs.

**CVS HEALTH CORPORATION AND CVS
PHARMACY, INC.,**

Defendants.

Case No.: 15-CV-3504 YGR

**ORDER ON ADMINISTRATIVE MOTIONS TO
FILE UNDER SEAL**

Re: Dkt. Nos. 73, 76

12 On January 15, 2016, Plaintiffs¹ filed an administrative motion to file under seal portions of
13 their oppositions to Defendants' motions to dismiss. (Dkt. No. 73.) On February 12, 2016,
14 Defendants similarly filed an administrative motion to file under seal portions of CVS Health's
15 reply in support of its motion to dismiss, and exhibits submitted in connection therewith. (Dkt. No.
16 76.) Here, both administrative motions concern information designated as confidential by
17 Defendants. Defendants thus bear the burden to demonstrate why the information should be sealed.
18 Given the dispositive nature of Defendants' motions, they must demonstrate "compelling reasons"
19 that overcome the public's right to view public records and documents including judicial records.
20 *Kamakana v. City of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006).

21 The Court finds Defendants met their burden with respect to only two sets of proposed
22 redactions: Exhibits 5 and 6 to the Second Moffatt Declaration (Dkt. Nos. 77-6, 77-7 as amended at
23 Dkt. Nos. 89-1, 89-2). The showing with respect to the other requests, by contrast, is not sufficient
24 under the applicable "compelling reasons" standard. Accordingly, Defendants' motion with respect
25 to Exhibits 5 and 6 to the Second Moffatt Declaration is **GRANTED**. The administrative motions to
26 file under seal are otherwise **DENIED**.

27
28 ¹ All terms shall have the same meaning as defined in the Court's Order on Defendants'
underlying motions to dismiss entered via separate order this same day.

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 Docket Numbers 73, 76.

IT IS SO ORDERED.

Date: March 14, 2016


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE