

United States District Court
For the Northern District of California

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E-FILED on 6/29/10

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ROBERT H. HANSEN, an individual, and on
behalf of all other similarly situated persons,

Plaintiffs,

v.

CONSECO INSURANCE COMPANY, an
Illinois corporation f/k/a CONSECO
ANNUITY INSURANCE COMPANY,

Defendants.

No. C-05-04726 RMW

ORDER REGARDING MOTION TO SEAL

[Re Docket No. 177]


Plaintiffs move to file under seal Exhibits 4-13, 15-36, 38, 39, and 43 attached to the Declaration of Phong L. Tran in Support of Plaintiff's Motion for Class Certification, Appointment of Class Representative and Appointment of Class Counsel. A request to seal must establish that the document, or portions thereof, is privileged or protectable as a trade secret or otherwise entitled to protection under the law. Civ. L. R. 79-5(a). The request must be narrowly tailored to seek sealing of only sealable material. *Id.*

Having reviewed the material that plaintiffs seek to file under seal, the court has concerns about the extent of material which plaintiffs seek to file under seal. There does not appear to be a basis for filing the following documents under seal: Exhibits 9, 10, 12, 13, 15-27, 29-31, 36, and 43. Plaintiffs have represented that they seek to file these documents under seal because they have been designated confidential by defendant Consec. The court therefore orders Consec to either explain

1 why all of the designated material is sealable or to submit a narrowly tailored request to file under
2 seal only those portions of the documents that are sealable material. If Conesco does not submit a
3 satisfactory explanation or an appropriately narrowly tailored request within ten days, the motion to
4 seal will be denied.

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DATED: 6/29/10 _____



RONALD M. WHYTE
United States District Judge