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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

METTEYYA BRAHMANA,)
)
Plaintiff,)
)
v.)
)
PHILIP CHARLES LEMBO, et al.,)
)
Defendants.)
_____)

Case No.: C 09-0106 PVT

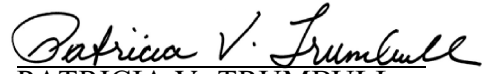
**ORDER TO SHOW CAUSE WHY
EXHIBIT "A" VIDEO DEPOSITION OF
PHILLIP LEMBO AS EXHIBIT TO
PLAINTIFF'S REPLY SHOULD NOT BE
UNSEALED AND FILED IN THE PUBLIC
RECORD**

On May 11, 2010, Plaintiff lodged a DVD entitled "Exhibit 'A' 11-20-09 Deposition of Phillip Charles Lembo" along with an administrative motion to file the DVD under seal. The court issued an order that the DVD, subject to later unsealing in the event Defendants fail to make the required showing that such protection is warranted. *See* CIVIL L.R. 79-5(d) ("Within 7 days thereafter, the designating party must file with the Court and serve a declaration establishing that the designated information is sealable, and must lodge and serve a narrowly tailored proposed sealing order, or must withdraw the designation of confidentiality"). Pursuant to Local Rule 79-5(d), Defendants' deadline for filing a declaration justifying the sealing of the DVD was May 18, 2010. On May 18, 2010, Defendants filed an administrative motion to seal a separate copy of the DVD they submitted. Based on the administrative motions to seal,

IT IS HEREBY ORDERED that, no later than May 24, 2010, Defendants shall file a

1 declaration showing cause why both copies of the DVDs should not be filed in the public record
2 *without sealing*. The declaration submitted by Defendants does not even claim the DVD warrants
3 protection, much less make the showing required under Federal Rules of Civil Procedure 26(c). *See*
4 *Beckman Indus., Inc. v. International Ins. Co.*, 966 F.2d 470, 476 (9th Cir. 1992) (“Broad allegations
5 of harm, however, unsubstantiated by specific examples or articulated reasoning, do not satisfy the
6 Rule 26(c) test”).

7 Dated: 5/19/10

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9 PATRICIA V. TRUMBULL
United States Magistrate Judge

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