

United States District Court
For the Northern District of California

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|---------------------------|---|-------------------------------|
| JEFFREY SCHULKEN, et al., |) | Case No.: 09-CV-02708-LHK |
| |) | |
| Plaintiffs, |) | |
| v. |) | |
| |) | ORDER REGARDING |
| WASHINGTON MUTUAL BANK, |) | ADMINISTRATIVE MOTION TO SEAL |
| HENDERSON, NV, et al., |) | |
| |) | |
| Defendants. |) | |
| |) | |

On June 2, 2011, plaintiffs filed an Administrative Motion to File Under Seal (Dkt. No. 81). In the Motion, plaintiffs request sealing of certain documents that were designated Confidential by defendants under the Protective Order in this matter. Pursuant to Local Rule 79-5(d), when a party moves to seal documents designated as sealable by another party, the designating party must file a supporting declaration within 7 days, or the sealing motion will be denied. No supporting declaration was filed by any Defendant in response to the June 2, 2011 Sealing Motion.

As noted in the Protective Order, simply designating information as confidential does not entitle the parties to file it under seal. See Stipulated Protective Order, ¶ 1. If either defendant objects to the public filing of the documents identified in plaintiffs’ Sealing Motion, it shall file a declaration stating the basis for asserting confidentiality of each exhibit plaintiffs seek to seal. These declarations must be filed by June 14, 2011. If no declarations are received, the Court will order the relevant documents to be publicly filed without sealing.

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

In the future, failure to follow the local rules and to submit declarations in support of motions to seal will result in denial of sealing motions and public filing of documents without warning.

IT IS SO ORDERED.

Dated: June 10, 2011



LUCY H. KOH
United States District Judge