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8
 9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 11 SAN JOSE DIVISION

13 **BARTOLO MULLEN,**

14 Plaintiff,

15 v.

17 **ED FOULK, EXECUTIVE DIRECTOR OF
 NAPA STATE HOSPITAL, et al.,**

18 Defendants.

C09-6081 RMW(PR)

**[[ORDER GRANTING
 DEFENDANTS' ADMINISTRATIVE
 MOTION TO FILE UNDER SEAL**

19 Courtroom: 6
 Judge The Honorable Ronald M.
 Whyte

20 Action Filed: May 11, 2010

21 Defendants Ed Foulk, Cynthia Radavsky and Gerald Marshall (Defendants) filed an
 22 administrative motion to file the following documents under seal pursuant to Civil Local Rules 7-
 23 11 and 79-5:

- 24 1. Defendants' Notice of Motion and Motion for Summary Judgment; Memorandum of
 25 Points and Authorities in Support Thereof
 26 2. Declaration of Cynthia Radavsky in Support of Defendants' Motion for Summary
 Judgment
 27 3. Declaration of Patricia Tyler, M.D. in Support of Defendants' Motion for Summary
 28 Judgment

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4. Declaration of Gerald Marshall in Support of Defendants’ Motion for Summary Judgment

The Court finds that each of the above-listed documents contains information relating to plaintiff’s treatment at Napa State Hospital, and that such information cannot reasonably be redacted from any of the above-listed documents. The Court concludes that such information is plaintiff’s confidential and protected information; that Defendants may disclose such information to the Court and to plaintiff for the purposes of defending themselves against plaintiff’s allegations in this action; and that plaintiff’s privacy interest in such information outweighs any interest in allowing the disclosure of such information to the general public. *See* 45 C.F.R. §§ 160.101 *et seq.* & 164.102 *et seq.*; Cal. Welf. & Inst. Code § 5328. Accordingly, the Court hereby orders that the above-listed documents shall be sealed pursuant to Civil Local Rule 79-5.

IT IS SO ORDERED.

Dated: 10/4/10 _____

Ronald M. Whyte
The Honorable Ronald M. Whyte

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