

1 KAMALA D. HARRIS
2 Attorney General of California
3 SUSAN M. CARSON
4 Supervising Deputy Attorney General
5 JENNIFER C. ADDAMS
6 Deputy Attorney General
7 State Bar No. 209355
8 455 Golden Gate Avenue, Suite 11000
9 San Francisco, CA 94102-7004
10 Telephone: (415) 703-5382
11 Fax: (415) 703-5480
12 E-mail: Jennifer.Addams@doj.ca.gov
13 *Attorneys for Defendants*

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

C 10-0274 LHK (pr)

**[PROPOSED] ORDER GRANTING
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

Date: None by Order of the Court

Judge The Honorable Lucy H. Koh
Courtroom: 4

Action Filed: February 8, 2011

Defendants David Graziani, Jeffrey Zwerin, D.O. and Ed Foulk (Defendants) filed an administrative motion to file the following documents under seal pursuant to Civil Local Rules 7-11 and 79-5:

23 1. Defendants' Notice of Motion and Motion for Summary Judgment; Memorandum of
24 Points and Authorities in Support Thereof;

25 2. Declaration of Jeffrey Zwerin, D.O. in Support of Defendants' Motion for Summary
26 Judgment and documents attached thereto;

27 3. Declaration of David Graziani in Support of Defendants' Motion for Summary
28 Judgment;

1 4. Declaration of Paul Anderson, M.D. in Support of Defendants' Motion for Summary
2 Judgment and documents attached thereto;

3 5. Declaration of Claude Edward Foulk in Support of Defendants' Motion for Summary
4 Judgment.

5 The Court finds that each of the above-listed documents contains information relating
6 to plaintiff's treatment at Napa State Hospital, and that such information cannot reasonably be
7 redacted from any of the above-listed documents. The Court concludes that such information is
8 plaintiff's confidential and protected information; that Defendants may disclose such information
9 to the Court and to plaintiff for the purposes of defending themselves against plaintiff's
10 allegations in this action; and that plaintiff's privacy interest in such information outweighs any
11 interest in allowing the disclosure of such information to the general public. See 45 C.F.R. §§
12 160.101 et seq. & 164.102 et seq.; Cal. Welf. & Inst. Code § 5328. Accordingly, the Court
13 hereby orders that the above-listed documents shall be sealed pursuant to Civil Local Rule 79-5.

14 IT IS SO ORDERED.

15
16
17 Dated: 11/30/11



18 The Honorable Lucy H. Koh

19
20 SF2011201321
21 20493424.doc

22
23
24
25
26
27
28