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8
 9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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12
13 **DANNY F. ATTERBURY,**

14 Plaintiff,

15 v.

16 **DAVE GRAZAINI, et al.,**

17 Defendant.
18

C 10-0274 LHK (pr)

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

20 Date: None by Order of the Court

21 Judge The Honorable Lucy H. Koh
 22 Courtroom: 4

23 Action Filed: February 8, 2011

24 Defendants David Graziani, Jeffrey Zwerin, D.O. and Ed Foulk (Defendants) filed an
 25 administrative motion to file the following documents under seal pursuant to Civil Local Rules 7-
 26 11 and 79-5:

- 27 1. Defendants' Notice of Motion and Motion for Summary Judgment; Memorandum of
- 28 Points and Authorities in Support Thereof;
2. Declaration of Jeffrey Zwerin, D.O. in Support of Defendants' Motion for Summary
- Judgment and documents attached thereto;
3. Declaration of David Graziani in Support of Defendants' Motion for Summary
- 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.

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18 Dated: 11/30/11


The Honorable Lucy H. Koh

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