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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FITEQ INC,
Plaintiff,
v.
VENTURE CORPORATION, et al.,
Defendants.

Case No. [13-cv-01946-BLF](#)

**ORDER GRANTING DEFENDANTS’
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

[Re: ECF 315, 319]

Before the Court is Defendants’ Administrative Motion to File Under Seal all but the header and footer of an email attached as an exhibit to Defendants’ Motion for Partial Summary Judgment (“Exhibit”). ECF 315. The Exhibit contains information Plaintiff designated as protected under the parties’ Protective Order. *See* Def.’s Mot. at 2; *see also* Protective Order, ECF 98. Plaintiff supports Defendants’ Motion. *See* Pl.’s Resp., ECF 319.

Courts recognize a “general right to inspect and copy public records and documents, including judicial records and documents.” *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006). When a party requests to seal judicial records attached to a dispositive motion, such as the motion for partial summary judgment at issue here, it must show “compelling reasons.” *Id.* at 1172.

Plaintiff has established that the requested portions of the Exhibit discuss historical costs, cost projections, and potential terms for the acquisition of a third party. *See* Pl.’s Resp. at 1. In addition, the Exhibit includes a “highly granular” spreadsheet that details cost projections over several quarters. *Id.* The Court finds that, if disclosed, this information could cause substantial economic harm to Plaintiff. Thus, the parties have satisfied the “compelling reasons” standard.

Because this material is sealable, the request also complies with Civil Local Rule 79-5(b).

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The Court has reviewed the redactions and finds them to be narrowly tailored, as required by Civil Local Rule 79-5(d)(1)(C). As such, Defendants' motion to file all but the header and footer of the Exhibit under seal is GRANTED.

IT IS SO ORDERED.

Dated: October 23, 2015



BETH LABSON FREEMAN
United States District Judge