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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA

17

OAKLAND DIVISION

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19 MATTHEW CAMPBELL and MICHAEL
HURLEY, on behalf of themselves and all
20 others similarly situated,

21 Plaintiffs,

22 v.

23 FACEBOOK, INC.,

24 Defendant.

Case No. C 13-05996 PJH (MEJ)

**PLAINTIFFS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL RE
PLAINTIFFS' RESPONSE TO
DEFENDANT'S "OBJECTION TO AND
REQUEST TO STRIKE NEW EVIDENCE
AND MISSTATEMENTS OF FACT"**

Judge: Honorable Phyllis J. Hamilton

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1 Pursuant to Civil Local Rule 7-11 and 79-5(c) and (d), Plaintiffs respectfully request an
2 order from the Court authorizing the filing under seal of portions of Plaintiffs' Response to
3 Defendant's Objection to and Request to Strike New Evidence and Misstatements of Fact
4 ("Response"), attached, with yellow highlighting to indicate where redactions are proposed, as
5 Exhibit A to the accompanying Gardner Declaration. A redacted version of the Response is
6 attached as Exhibit B.

7 Plaintiffs seek an order to seal the designated portions of the Response on the grounds that
8 they contain information that Defendant has designated "HIGHLY CONFIDENTIAL" or
9 "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY." Plaintiffs take no position on
10 whether the text designated in Exhibit A satisfies the requirements for sealing, and specifically
11 reserve the right to challenge any "HIGHLY CONFIDENTIAL" or "HIGHLY CONFIDENTIAL
12 – ATTORNEYS' EYES ONLY" designation.

13 As the party seeking protection, Defendant "bears the burden of showing specific
14 prejudice or harm will result if no protective order is granted." *Real Action Paintball, Inc. v.*
15 *Advanced Tactical Ordnance Sys., LLC*, No. 14-2435, 2015 WL 1534049, at *2 (N.D. Cal. Apr.
16 2, 2015). Pursuant to this Court's Standing Order for Cases Involving Confidential Documents,
17 Defendant must show good cause for sealing the documents upon which it has placed a
18 confidentiality designation by submitting a declaration within seven days after the lodging of the
19 designated documents. *See also* Civil Local Rule 79-5(e).

20 Dated: March 9, 2016

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

21 By: /s/ Melissa Gardner
22 Melissa Gardner

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