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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE ANIMATION WORKERS ANTITRUST
LITIGATION

Master Docket No. 14-CV-4062-LHK

[STIPULATED AND PROPOSED]
ORDER REGARDING SEALING
MOTIONS

THIS DOCUMENT RELATES TO:
ALL ACTIONS

1 When a party seeks to file a document, or portions thereof, under seal, that party (“the Filing
2 Party”) must accompany the filing with a Notice of Intention to Seal Documents. On the same day
3 the Notice of Intention to Seal Documents is filed, the Filing Party must provide a single courtesy
4 copy of the filing that highlights in yellow or on the face of an exhibit all material (or information
5 derived from material) designated as Confidential or Attorneys’ Eyes Only under the Stipulated
6 Protective Order, as well as the identity of the party that designated that material, to counsel for all
7 parties to this action. In the event the Filing Party intends to file Confidential or Attorneys’ Eyes
8 Only material designated by a non-party to this action (a “Designating Non-Party”), the Filing Party
9 must within two (2) court days also provide the Designating Non-Party with the same materials it is
10 required to provide to parties to this action, with the exception that no information designated
11 Confidential or Attorneys’ Eyes Only by a party other than such Designating Non-Party shall be
12 disclosed to a Designating Non-Party. The proposed redacted version(s) shall not be filed with the
13 Court at that time.

14 Within five (5) court days of the filing of a Notice of Intention to Seal Documents, the parties
15 and any Designating Non-Part(ies) shall inform the Filing Party whether sealing of material is
16 required and provide proposed line-item redactions of materials and exhibits. Within seven (7) court
17 days of the filing of the Notice, the parties will file a joint administrative motion to file under seal,
18 and file public versions of all proposed redacted versions of all briefs and declarations. The parties
19 will provide a courtesy copy to the Court in accordance with Civil Local Rule 79(d)(2).

20 The parties shall file concurrent with the administrative motion to file under seal all necessary
21 declarations establishing that the information sought to be sealed is sealable. The parties shall also
22 file a proposed order that is narrowly tailored to seal only the sealable material, and which lists in
23 table format each document or portion thereof that is sought to be sealed. For motions to file under
24 seal relating to dispositive motions, the declarations shall set forth the “compelling reasons supported
25 by specific factual findings” that the parties believe outweigh the general history of access and the
26 public policies favoring disclosure. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178-79
27 (9th Cir. 2006). For motions to file under seal relating to nondispositive motions, the declarations
28

1 shall set forth the “particularized” reasons that the parties believe that “specific prejudice or harm
2 will result” if the information is disclosed. *Phillips ex rel. Estates of Byrd v. Gen. Motors Corp.*, 307
3 F.3d 1206, 1210–11 (9th Cir. 2002).

4 If the document for which sealing is sought was ordered sealed in *In re High Tech*, the Filing
5 Party shall confirm in the sealing motion that it is seeking the same redactions that were approved in
6 *In re High Tech* and provide the docket number from *In re High Tech* of the order(s) in which those
7 portions of that document were sealed. No additional discussion of that document is required in the
8 sealing motion or in the related declarations (if any).

9 IT IS SO ORDERED.

10 DATED: December 14, 2015

11 
12 LUCY J. KOH
13 United States District Judge