

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROBERT A. NITSCH, et al.,  
Plaintiffs,  
v.  
DREAMWORKS ANIMATION SKG INC.,  
et al.,  
Defendants.

Case No. [5:14-cv-04062-LHK](#)  
**ORDER GRANTING MOTION TO SEAL**  
**(Re: Docket No. 220)**

Before the court is one administrative motion to seal.<sup>1</sup> “Historically, courts have recognized a ‘general right to inspect and copy public records and documents, including judicial records and documents.’”<sup>2</sup> Accordingly, when considering a sealing request, “a ‘strong presumption in favor of access’ is the starting point.”<sup>3</sup> Parties seeking to seal judicial records relating to motions that are “more than tangentially related to the underlying cause of action”<sup>4</sup> bear the burden of overcoming the presumption with “compelling reasons” that outweigh the general history of access and the public policies favoring disclosure.<sup>5</sup>

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<sup>1</sup> See Docket No. 220.

<sup>2</sup> *Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597 & n. 7 (1978)).

<sup>3</sup> *Id.* (quoting *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003)).

<sup>4</sup> *Ctr. for Auto Safety v. Chrysler Grp.*, Case No. 15-55084, 2016 WL 142440, at \*4 (9th Cir. Jan. 11, 2016).

<sup>5</sup> *Kamakana*, 447 F.3d at 1178-79.



1 Civ. L.R. 79-5(b), a sealing order is appropriate only upon a request that establishes the document  
 2 is “sealable,” or “privileged or protectable as a trade secret or otherwise entitled to protection  
 3 under the law.” “The request must be narrowly tailored to seek sealing only of sealable material,  
 4 and must conform with Civil L.R. 79-5(d).”<sup>14</sup> “Within 4 days of the filing of the Administrative  
 5 Motion to File Under Seal, the Designating Party must file a declaration as required by subsection  
 6 79-5(d)(1)(A) establishing that all of the designated material is sealable.”<sup>15</sup>

7 With these standards in mind, the court rules on the instant motions as follows:

<b><u>Motion to Seal</u></b>	<b><u>Document to be Sealed</u></b>	<b><u>Result</u></b>	<b><u>Reason/Explanation</u></b>
220-4	Plaintiff’s Motion To Compel	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-6	Schiltz Decl. ISO Plaintiff’s Motion to Compel	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-8	Ex. 1 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-10	Ex. 14 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-12	Ex. 15 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-14	Ex. 16 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.

14 Civ. L.R. 79-5(b). In part, Civ. L.R. 79-5(d) requires the submitting party to attach a “proposed order that is narrowly tailored to seal only the sealable material” which “lists in table format each document or portion thereof that is sought to be sealed,” Civ. L.R. 79-5(d)(1)(b), and an “unredacted version of the document” that indicates “by highlighting or other clear method, the portions of the document that have been omitted from the redacted version.”

Civ. L.R. 79-5(d)(1)(d).

15 Civ. L.R. 79-5(e)(1).

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220-16	Ex. 17 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-18	Ex. 18 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-20	Ex. 19 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-22	Ex. 20 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-24	Ex. 21 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-26	Ex. 22 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-28	Ex. 23 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-30	Ex. 24 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-32	Ex. 25 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-34	Ex. 26 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-36	Ex. 27 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.
220-38	Ex. 28 to Schiltz Decl.	Designations outlined in red SEALED.	Narrowly tailored to confidential personal information.

**SO ORDERED.**

Dated: March 3, 2016

  
PAUL S. GREWAL  
United States Magistrate Judge