

1 **UNITED STATES DISTRICT COURT**
2 **NORTHERN DISTRICT OF CALIFORNIA**
3 **SAN JOSE DIVISION**

4
5 ESTATE OF SANDRA VELA, et al.,
6 Plaintiffs,
7 v.
8 COUNTY OF MONTEREY, et al.,
9 Defendants.

Case No. 16-cv-02375-BLF

**ORDER DENYING PLAINTIFFS’
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

[Re: ECF 123]

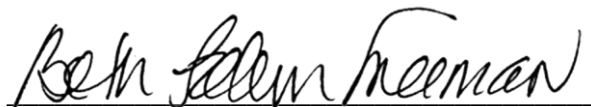
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11 Plaintiffs have filed an Administrative Motion to File under Seal, requesting that Exhibits
12 56, 82, and 108 in support of Plaintiffs’ Motion for Partial Summary Adjudication be sealed on the
13 basis that Defendants have designated those Exhibits as confidential.

14 Where the moving party requests sealing of documents because they have been designated
15 confidential by another party under a protective order, the burden of establishing compelling
16 reasons for sealing is placed on the designating party. Civ. L.R. 79-5(e). “Within 4 days of the
17 filing of the Administrative Motion to File Under Seal, the Designating Party must file a
18 declaration . . . establishing that all of the designated material is sealable.” Civ. L.R. 79-5(e)(1).
19 “If the Designating Party does not file a responsive declaration . . . and the Administrative Motion
20 to File Under Seal is denied, the Submitting Party may file the document in the public record no
21 earlier than 4 days, and no later than 10 days, after the motion is denied.” Civ. L.R. 79-5(e)(2).

22 Defendants did not file a declaration establishing that Exhibits 56, 82, and 108 are sealable
23 within the time provided to do so. Accordingly, Plaintiffs’ motion is DENIED. Plaintiffs may file
24 those exhibits publicly no earlier than 4 days, and no later than 10 days, after the date of this
25 Order.

26 **IT IS SO ORDERED.**

27 Dated: July 2, 2018



28 BETH LABSON FREEMAN
United States District Judge