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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

RPA INTERNATIONAL PTY LTD., et al., Plaintiffs, vs. COMPACT INTERNATIONAL, INC., et al., Defendants.
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CASE NO. 06cv1147 WQH (AJB)
ORDER

HAYES, Judge:

On February 10, 2009, Plaintiffs filed the Amended Ex Parte Motion for Permission to File Documents under Seal (“Ex Parte Motion”) (Doc. # 120). The Ex Parte Motion requests permission to “file documents under seal” pursuant to “the January 31, 2007 Protective Order, the Local Rules, and this court’s request.” *Ex Parte Motion*, p. 1. In support of the Ex Parte Motion, Plaintiffs submitted the declaration of Amanda L. Lowerre, who attests:

The Motion for Summary Judgment and its supporting documents contain information and exhibits that have been designated by the parties as “confidential” or “highly confidential - for counsel only” pursuant to the Protective Order entered by the Court in this action on January 31, 2007. In accordance with the terms of the Protective Order, [Plaintiff] seeks an order from the Court permitting the filing of its Motion for Summary Judgment, Supporting Declarations and Exhibits under seal.


Lowerre Decl., ¶ 2.

1 Courts in the Ninth Circuit apply “a strong presumption in favor of access to court
2 records.” *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). This
3 presumption “is not rebutted where . . . documents subject to a protective order are filed under
4 seal as attachments to a dispositive motion.” *Id.* at 1136. A party seeking to seal documents
5 that are part of a dispositive motion must identify a “compelling reason to justify sealing the
6 documents.” *Id.* at 1138; *see also Kamakana v. City & County of Honolulu*, 447 F.3d 1172,
7 1180 (9th Cir. 2006) (“Those who seek to maintain the secrecy of documents attached to
8 dispositive motions must meet the high threshold of showing that compelling reasons support
9 secrecy.”).

10 Plaintiffs request permission to seal the Motion for Summary Judgment and supporting
11 documents. However, Plaintiffs have failed to satisfy the “high threshold” of showing that
12 “compelling reasons” justify sealing the Motion for Summary Judgment and supporting
13 documents. *Kamakana*, 447 F.3d at 1180.

14 IT IS HEREBY ORDERED that the Ex Parte Motion for Permission to File Documents
15 under Seal (Doc. # 120) is **DENIED**. The Clerk of the Court shall return the documents
16 submitted with this Ex Parte Motion to the Plaintiff.

17 DATED: February 18, 2009

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19 **WILLIAM Q. HAYES**
20 United States District Judge