1
2
3
4
5
6
7

8   UNITED STATES DISTRICT COURT

9   SOUTHERN DISTRICT OF CALIFORNIA

10 Jeremy KEATING, et al.,   Case No.: 15-cv-0057-L-AGS

11   Plaintiffs,   **ORDER PROVISIONALLY
                                               GRANTING DEFENDANTS'**
12 v.   **MOTION TO SEAL (ECF No. 296)**

13 John A. JASTREMSKI, et al.,

14   Defendants.

15

16   Defendants seek to seal 5,681 pages of documents, *en masse*, which they attached to

17 a declaration in support of their motion for terminating sanctions. Defendants argue that

18 sealing these pages are necessary because they "contain personal and financial information,

19 including names, addresses, telephone numbers, account numbers, income, and net worth,

20 for thousands of individuals, some of whom are or were [defendants'] clients." (Mem.,

21 ECF No. 296-1, at 2.) The Court concludes that the privacy interests of these uninvolved

22 third parties meet the "compelling reasons" standard—especially in light of the threat of

23 identity theft—to seal a document when it is offered in support of a potentially dispositive

24 motion. *See Kamakana v. City & Cnty of Honolulu*, 447 F.3d 1172, 1181 (9th Cir. 2006).

25 But defendants have not complied with this Court's requirements to file a public copy

26 which redacts only those portions of the filing which defendants have compelling reasons

27 to seal. *See Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1137 (9th Cir. 2003).

28 Because the motion meets the compelling reasons standard, it is granted and the Clerk is

1

1 to seal defendants' lodgment. (*See* ECF No. 297.) But, by September 1, 2018, defendants

2 must either (1) file a redacted version of the lodgment for public consumption which

3 redacts the information defendants have cause to seal or (2) retract the declaration from

4 consideration in support of its motion. Should defendants take that second route, it must

5 immediately inform the Special Master of as much.

6 **IT IS SO ORDERED.**

7 DATED: August 1, 2018

9 CLINTON E. AVERITTE
   UNITED STATES MAGISTRATE JUDGE

2