Hawkins v. The Kroger Company

Doc 304

| 1  |
|----|
| 2  |
| 3  |
| 4  |
| 5  |
| 6  |
| 7  |
| 8  |
| 9  |
| 10 |
| 11 |
| 12 |
| 13 |
| 14 |
| 15 |
| 16 |
| 17 |
| 18 |
| 19 |
| 20 |
| 21 |
| 22 |
| 23 |
| 24 |
| 25 |
| 26 |
| 27 |

28

Once protected discovery documents are made part of a dispositive motion, "they lose their status of being raw fruits of discovery" and no longer enjoy protected status without some overriding interests in favor of keeping the material confidential. *Foltz v. State Farm Mut. Auto. Ins. Co.* 331 F.3d 1122, 1136 (9th Cir. 2003). Having reviewed the exhibit in question, the court does not find compelling reasons to file the product specification sheet under seal on the broad ground set forth.

Accordingly, the court **DENIES** Plaintiff's motion to seal. Having found no compelling reason exists to seal the documents, Plaintiff shall publicly file the document lodged under seal at Docket Number 289 forthwith.

IT IS SO ORDERED.

Dated: December 10, 2020

Hon. Jeffrey T. Miller

United States District Judge