

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

7
8 ANDREA GOODE, an Individual,
9 Plaintiff,
10 v.
11 ELC BEAUTY LLC, a Delaware Limited
12 Liability Company; DOES 1 through 20,
13 Inclusive,
14 Defendants.

Case No.: 17-CV-0716-AJB-AGS

**ORDER GRANTING PARTIES’
JOINT MOTION TO SEAL**

(Doc. No. 14)

15 Presently before the Court is the parties’ joint motion to seal an attachment to
16 Defendant’s notice of removal. (Doc. No. 14.) Having reviewed the parties’ arguments in
17 light of controlling authority, and pursuant to Local Civil Rule 7.1.d.1, the Court finds the
18 matter suitable for decision without oral argument. For the reasons set forth below, the
19 Court **GRANTS** the parties’ motion.

20 **BACKGROUND**

21 This dispute arises from Plaintiff’s employment with Defendant. She brings several
22 causes of action under California state law. Plaintiff instituted this lawsuit in San Diego
23 Superior Court, but Defendant removed the action to this Court when Plaintiff’s settlement
24 demand indicated the amount in controversy exceeded the jurisdictional minimum.
25 Defendant attached the settlement demand to its notice of removal as Exhibit G. The parties
26 now jointly move to have Exhibit G sealed.

27 **LEGAL STANDARD**

28 Courts have historically recognized a “general right to inspect and copy public

1 a settlement demand. (Doc. No. 14 at 3.) The parties assert good cause exists to seal because
2 it would promote the strong public policy of confidential settlement discussions and
3 resolution of disputes outside the judicial process, and because harm to the parties
4 outweighs the public’s right of access. (*Id.* at 3–5.) The Court agrees.

5 Although “public access to filed motions and their attachments does not depend on
6 whether the motion is ‘dispositive,’” whether a motion is dispositive or nondispositive is
7 relevant in determining which standard governs the Court’s inquiry. *See Ctr. for Auto*
8 *Safety*, 809 F.3d at 1101. The Court finds this factor favors finding the good cause standard
9 applies because removal of an action to federal court does not adjudicate the parties’
10 substantive rights. *Id.* at 1098 (noting dispositive motions are those that “adjudicate[]
11 substantive rights”). The Court further finds that Exhibit G is “tangentially related” to the
12 merits of the underlying case given that its contents affect only the Court’s jurisdiction.
13 The Court therefore finds that Rule 26(c)’s “good cause” standard governs here.

14 Having reviewed Exhibit G, the Court finds the parties have satisfied the good cause
15 standard because the document contains Plaintiff’s settlement demand. As the Ninth
16 Circuit has recognized, “courts have granted protective orders to protect confidential
17 settlement agreements.” *Phillips ex rel. Estates of Byrd v. Gen. Motors Corp.*, 307 F.3d
18 1206, 1212 (9th Cir. 2002). The Court further finds that the proposed redaction is “narrowly
19 tailored” to seal only sealable material.

20 **CONCLUSION**

21 Based on the foregoing, the Court **GRANTS** the parties’ joint motion to seal. (Doc.
22 No. 14.) The Clerk of Court is **INSTRUCTED** to file Exhibit G to the notice of removal,
23 (Doc. No. 1-8), under seal.

24 **IT IS SO ORDERED.**

25 Dated: May 26, 2017

26 
27 Hon. Anthony J. Battaglia
28 United States District Judge

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