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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SAN DIEGO COUNTY CREDIT UNION,
Plaintiff,
v.
CITIZENS EQUITY FIRST CREDIT UNION,
Defendant.

Case No.: 18cv967-GPC(MSB)

**ORDER GRANTING PLAINTIFF'S MOTION
TO FILE UNDER SEAL [ECF NO. 127]**

AND RELATED COUNTERCLAIMS

On April 9, 2020, Plaintiff San Diego County Credit Union ("SDCCU") filed a "Motion to File Under Seal Portions of [SDCCU]'s Motion to Strike Rebuttal Expert Report of Theodore H. Davis, Jr. and Sur-Rebuttal Report of On Amir." (ECF No. 127.) Plaintiff asks the Court to seal Exhibit 5 to the Declaration of Jesse A. Salen filed in Support of Plaintiff's motion to strike. (Id. at 2-3.)

In support, Plaintiff asserts that "[n]on-dispositive motions and related materials may be sealed in the Ninth Circuit upon a 'particularized showing' under the 'good cause' standard of Fed. R. Civ. P. 26(c)." (Id. at 2 (quoting Kamakana v. City & Cty. of Honolulu, 447 F.3d 1172, 1179-80 (9th Cir. 2006).) Plaintiff further contends that the

1 document it seeks to seal contains a copy of the Expert Report of Russell W. Mangum III,
2 Ph.D., which Plaintiff designated as “CONFIDENTIAL-FOR ATTORNEYS’ EYES ONLY” under
3 the terms of the Protective Order entered in this case. (Id. at 3; Decl. Jesse A. Salen
4 (“Salen Decl.”) 2, ECF No. 127-1.) Plaintiff’s counsel also contends that “SDCCU
5 considers the Expert Report of Russell W. Mangum III, Ph.D. to contain confidential
6 business information that has significant competitive value such that unrestricted
7 disclosure would create a substantial risk of significant competitive injury to SDCCU.”
8 (Salen Decl. at 2.) Plaintiff therefore asks the Court to seal the exhibit at issue in its
9 entirety. (ECF No. 127 at 3.)

10 Having reviewed Plaintiff’s motion and finding good cause, the Court **GRANTS** the
11 motion. Accordingly, the Court **ORDERS** that the document Plaintiff seeks to seal [ECF
12 No. 128] be filed under seal.

13 **IT IS SO ORDERED.**

14 Dated: April 22, 2020

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16 Honorable Michael S. Berg
17 United States Magistrate Judge
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