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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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11 SAN DIEGO COUNTY CREDIT  
12 UNION,

13 Plaintiff,

14 v.

15 CITIZENS EQUITY FIRST CREDIT  
16 UNION,

17 Defendant.

Case No.: 18cv967-GPC(RBB)

**ORDER DENYING DEFENDANT'S  
MOTION TO SEAL**

**[Dkt. No. 30.]**

18 Defendant filed a motion to seal to file the entirety of the Declaration of Jennifer  
19 Flexer submitted in support of its motion to dismiss for lack of personal jurisdiction.  
20 (Dkt. No. 30.) No opposition was filed.

21 There is a presumptive right of public access to court records based upon the  
22 common law and the first amendment. See Nixon v. Warner Comm., Inc., 435 U.S. 589,  
23 597 (1978); Phillips ex rel. Estates of Byrd v. General Motors Corp., 307 F.3d 1206,  
24 1212-13 (9th Cir. 2002). Nonetheless, access may be denied to protect sensitive  
25 confidential information. Parties seeking to seal documents in a dispositive motion must  
26 meet the high threshold requiring “compelling reasons” with specific factual findings to  
27 support a sealing. Kamakana v. City and Cnty. of Honolulu, 447 F.3d 1172, 1178-80  
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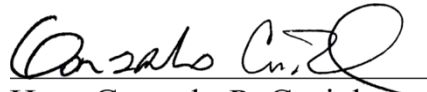
1 (9th Cir. 2006) (citing Foltz v. State Farm Mut. Auto. Ins. Co., 331 F.3d 1122, 1136 (9th  
2 Cir. 2003)). The “compelling reasons” test requires showing more than just “good  
3 cause.” Id.

4 According to the undersigned judge’s chambers rules, documents filed under seal  
5 will be limited to only those documents, or portions thereof, necessary to protect such  
6 sensitive information. Therefore, a redacted document may be appropriate to protect the  
7 portions of the brief or declaration containing confidential information.

8 Here, Defendant argues it seeks to file under seal Flexor’s declaration because it  
9 includes confidential business information such as the number of members that it has in  
10 various geographic areas. While such information may be compelling, sealing the  
11 entirety of Flexor’s declaration is not supported by compelling reasons. Accordingly, the  
12 Court DENIES Defendant’s motion to seal subject to refileing the motion to seal with a  
13 redacted document.

14 IT IS SO ORDERED.

15 Dated: July 25, 2018

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17 Hon. Gonzalo P. Curiel  
18 United States District Judge  
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