


1 *Id.* Documents filed under seal are not accessible to the public.

2 The Court has approved the parties' blanket protective order to facilitate their discovery
3 exchanges. But the parties have not shown, and the Court has not found, that any specific
4 documents are secret or confidential. The parties have not provided specific facts supported by
5 declarations or concrete examples to establish that a protective order is required to protect any
6 specific trade secret or other confidential information pursuant to Rule 26(c) or that disclosure
7 would cause an identifiable and significant harm. The Ninth Circuit has held that there is a
8 presumption of public access to judicial files and records and that parties seeking to maintain the
9 confidentiality of documents attached to nondispositive motions must show good cause exists to
10 overcome the presumption of public access. *See Kamakana* 447 F.3d at 1179. Parties seeking to
11 maintain the secrecy of documents attached to dispositive motions must show compelling reasons
12 sufficient to overcome the presumption of public access. *Id.* at 1180.

13 If the sole ground for a motion to seal is that the opposing party (or non-party) has
14 designated a document as confidential, the opposing party (or non-party) shall file a declaration
15 establishing good cause for the sealing along with a proposed order, or shall withdraw the
16 designation. The declaration shall be filed within seven days of service on the opposing party (or
17 non-party) of the request for a sealing order. If the declaration is not filed as required, the Court may
18 order the document filed in the public record.

19 **IT IS ORDERED** that the parties shall comply with the requirements of LR 10-5(b), the
20 Ninth Circuit's decision in *Kamakana*, 447 F.3d 1172, and the procedures outlined above, with
21 respect to any documents filed under seal.

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23 DATED: February 25, 2013

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26 _____
27 NANCY J. KOPPE
28 United States Magistrate Judge