

1 directly under the case number: “FILED UNDER SEAL PURSUANT TO
2 COURT ORDER DATED _____.” All papers filed under seal will
3 remain sealed until such time as the Court may deny the motion to seal or
enter an order to unseal them, or the documents are unsealed pursuant to
Local Rule.

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

5 The Court has approved the blanket protective order to facilitate discovery exchanges. But
6 there has been no showing, and the Court has not found, that any specific documents are secret or
7 confidential. The parties have not provided specific facts supported by declarations or concrete
8 examples to establish that a protective order is required to protect any specific trade secret or other
9 confidential information pursuant to Rule 26(c) or that disclosure would cause an identifiable and
10 significant harm. The Ninth Circuit has held that there is a presumption of public access to judicial
11 files and records and that parties seeking to maintain the confidentiality of documents attached to
12 nondispositive motions must show good cause exists to overcome the presumption of public access.
13 *See Kamakana* 447 F.3d at 1179. Parties seeking to maintain the secrecy of documents attached to
14 dispositive motions must show compelling reasons sufficient to overcome the presumption of public
15 access. *Id.* at 1180.¹

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

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25 ¹ Additional information regarding the requirements for filing under seal can be found at *The*
26 *Vaccine Center LLC v. GlaxoSmithKline LLC*, 2013 U.S. Dist. Lexis 68298 (D. Nev. May 14, 2013)
27 (discussing, *inter alia*, the standards for sealing, standard for redaction rather than sealing entire
documents, and impact of the stipulated protective order on a motion to seal).

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

4 DATED: January 9, 2014

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7 NANCY J. KOPPE
8 United States Magistrate Judge
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