

1 the “compelling reasons” test required to maintain the secrecy of documents attached to dispositive
2 motions. *Id.*

3 *Kamakana* recognized that “compelling reasons” sufficient to outweigh the public’s
4 interests in disclosure and justify sealing records exist when court records may be used to gratify private
5 spite, permit public scandal, circulate libelous statements, or release trade secrets. *Id.* at 1179 (internal
6 quotations omitted). However, “[t]he mere fact that the production of records may lead to a litigant’s
7 embarrassment, incrimination, or exposure to further litigation will not, without more, compel the court
8 to seal its records.” *Id.*, citing, *Foltz v. State Farm Mutual Auto Insurance Company*, 331 F.3d 1122,
9 1136 (9th Cir. 1995). To justify sealing documents attached to dispositive motions, a party is required
10 to present articulable facts identifying the interests favoring continuing secrecy *and* show that these
11 specific interests overcome the presumption of public access by outweighing the public’s interests in
12 understanding the judicial process. *Id.* at 1181 (internal citations and quotations omitted). The Court
13 finds that Defendants met their burden and, therefore, grants their request to file Exhibits A and F to the
14 declaration of Mark Karish and Exhibits H, I, and J to the declaration of Robert Bruck in support of
15 their motion for summary judgment under seal. Accordingly,

16 **IT IS HEREBY ORDERED** that Defendants’ Motion to Seal Exhibits H, I, and J to the
17 Declaration of Robert Bruck in Support of Defendants’ Motion for Summary Judgment (ECF No. 32) is
18 **granted.**

19 **IT IS FURTHER ORDERED** Defendants’ Motion to Seal Exhibits A and F to the Declaration
20 of Marc Karish in Support of Defendants’ Motion for Summary Judgment (ECF No. 33) is **granted.**

21 DATED this 12th day of February, 2018.

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24 GEORGE FOLEY, JR.
25 United States Magistrate Judge
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