



1           The Ninth Circuit comprehensively examined the presumption of public access to judicial  
2 files and records in *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006).  
3 There, the court recognized that different interests are at stake in preserving the secrecy of materials  
4 produced during discovery and materials attached to dispositive motions. The *Kamakana* court held  
5 that a “good cause” showing is sufficient to seal documents produced during discovery. *Id.* at  
6 1180. However, the *Kamakana* decision also held that a showing of “compelling reasons” is needed  
7 to support the secrecy of documents attached to dispositive motions. A showing of “good cause”  
8 does not, without more, satisfy the “compelling reasons” test required to maintain the secrecy of  
9 documents attached to dispositive motions. *Id.*

10           *Kamakana* recognized that “compelling reasons” sufficient to outweigh the public’s interests  
11 in disclosure and justify sealing records exist when court records may be used to gratify private  
12 spite, permit public scandal, circulate libelous statements, or release trade secrets. *Id.* at 1179  
13 (internal quotations omitted). However, “[t]he mere fact that the production of records may lead to  
14 a litigant’s embarrassment, incrimination, or exposure to further litigation will not, without more,  
15 compel the court to seal its records.” *Id.*, citing, *Foltz v. State Farm Mutual Auto Insurance*  
16 *Company*, 331 F.3d 1122, 1136 (9th Cir. 1995). To justify sealing documents attached to  
17 dispositive motions, a party is required to present articulable facts identifying the interests favoring  
18 continuing secrecy *and* show that these specific interests overcome the presumption of public access  
19 by outweighing the public’s interests in understanding the judicial process. *Id.* at 1181 (internal  
20 citations and quotations omitted).

21           The documents contained in the exhibits appear to be relevant. The Court grants  
22 Defendants’ request to file the tax returns under seal. Sufficient compelling reasons, however, have  
23 not been provided to show why the remaining documents should be filed under seal. Defendants  
24 shall redact personal identifying information from the remaining exhibits and file it unsealed.

25 Accordingly,

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