

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 * * *

4 BOARD OF TRUSTEES OF THE
5 SOUTHERN NEVADA JOINT
6 MANAGEMENT AND CULINARY
7 AND BARTENDERS TRAINING FUND
8 dba CULINARY ACADEMY OF LAS
9 VEGAS,

10 Plaintiff,

11 v.

12 CHRISTOPHER FAVA, et al.,

13 Defendants.

Case No. 2:18-cv-00036-JCM-CWH

ORDER

14 This matter is before the court on plaintiff's motion for leave to file plaintiff's reply in
15 support motion to dismiss defendant Jaime Monardes' counterclaim under seal (ECF No. 56),
16 filed on June 14, 2018. Plaintiff argues that the reply contains excerpts from a confidential
17 separation agreement executed by both parties. The court finds that the confidential nature of an
18 agreement is not a compelling reason that outweighs the public's right to access the document.
19 *See Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006). The court
20 will therefore deny plaintiff's motion to for leave to file its reply under seal.

21 IT IS THEREFORE ORDERED that plaintiff's motion for leave to file plaintiff's reply in
22 support motion to dismiss defendant Jaime Monardes' counterclaim under seal (ECF No. 56) is
23 DENIED.

24 IT IS FURTHER ORDERED that the clerk's office must unseal plaintiff's motion to
25 dismiss (ECF No. 51), defendant's response (ECF No. 53), and plaintiff's reply (ECF No. 57).

26 DATED: June 26, 2018

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28 C.W. HOFFMAN, JR.
UNITED STATES MAGISTRATE JUDGE