

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

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4 KATHLEEN BLISS, on behalf of herself,
5 the Proposed Nationwide Rule 23 Class,
and the Proposed Nevada Subclass,

Case No. 2:18-cv-01280-JAD-EJY

6 Plaintiff,

ORDER

7 v.

8 CORECIVIC, INC.,

9 Defendant.

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11 Pending before the Court is Plaintiff's Motion to Seal Documents (ECF No. 194), which

12 seeks to seal exhibits filed with Plaintiff's Reply in Support of her Motion to Compel. The Motion

13 references Exhibits L, M, N, O, P, Q, S, T, U, V, and W, all but one of which was marked

14 "Confidential" by Defendant and produced under the Stipulated Protective Order.

15 As the party seeking to seal a judicial record, Plaintiff would ordinarily be required to meet

16 the burden of overcoming the strong presumption in favor of access and public policies favoring

17 disclosure. *Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006)

18 (holding that those who seek to maintain the secrecy of documents attached to non-dispositive

19 motions must demonstrate "good cause" supporting secrecy). Where a party seeks to seal documents

20 attached to a non-dispositive motion, such as a motion to compel, the "public policies that support

21 the right of access to dispositive motions ... do not apply with equal force" *Kamakana*, 417 F.3d

22 at 1179 (citation omitted). However, existence of a stipulated protective order and either party's

23 designation of a document as confidential alone are insufficient grounds to seal a document. *Heath*

24 *v. Tristar Prod., Inc.*, Case No. 2:17-cv-02869-GMN-PAL, 2019 WL 12311995, at *2 (D. Nev. Apr.

25 17, 2019).

26 A review of the documents demonstrates that Exhibits M, Q, S, T, U, V, and W contain

27 proprietary and confidential information that is properly sealed. In contrast, Exhibits L, N, O, and

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1 P appear to be documents distributed to inmate populations or otherwise to the public that would
2 strongly suggest there is no basis to seal the information contained therein.

3 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion to Seal Documents (ECF
4 No. 194) is GRANTED in part.

5 IT IS FURTHER ORDERED that Exhibits M, Q, S, T, U, V, and W to Plaintiff's Reply in
6 Support of Motion to Compel are sealed.

7 IT IS FURTHER ORDERED that Exhibits L, N, O, and P are temporarily sealed.

8 IT IS FURTHER ORDERED that Defendant has through and including May 16, 2022 to file
9 a report with the Court to support sealing Exhibits L, N, O, and P. If no report is filed by or before
10 that date, these exhibits will be ordered unsealed.

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12 Dated this 9th day of May, 2022.

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ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE

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