

1
2
3
4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

6 ELIA GARCIA,
7 Plaintiff(s),

8 v.
9

10 LINCOLN LIFE ASSURANCE COMPANY
11 OF BOSTON,
Defendant(s).
12

Case No. 2:21-cv-00438-RFB-NJK

13 **Order**

14 [Docket Nos. 31, 37]

15 Pending before the Court is Plaintiff's motion to seal. Docket No. 31. Also pending before
16 the Court is Defendant's motion to seal. Docket No. 37. Pursuant to the Court's order, Docket
17 No. 48, the parties have now supplemented their sealing requests, Docket Nos. 53, 55.¹

18 The instant sealing requests address hundreds of pages of documents filed with the Court
19 in conjunction with Plaintiff's motion to compel discovery. Docket Nos. 31, 37. In an order issued
20 concurrently herewith, the Court is denying that motion to compel without prejudice and without
21 addressing the substance of the arguments made. As such, there is no public interest with respect
22 to the documents filed under seal. *Cf. Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172,
23 1179 (9th Cir. 2006) (in deciding whether to provide public access to filings, courts consider the
24 "public interest in understanding the judicial process"). Instead of addressing the sealing request,
25 the Court will instead strike the subject documents from the record. Accordingly, the Clerk's
Office is **INSTRUCTED** to **STRIKE** the documents at Docket No. 31, Docket No. 31-1, Docket
No. 31-2, Docket No. 31-3, Docket No. 31-4, Docket No. 31-5, Docket No. 37, Docket No. 37-1,

1 ¹ Defendant purports therein to also supplement sealing requests related to summary
2 judgment briefing. *See, e.g.*, Docket No. 55 at 1. Those sealing requests are not currently before
3 the Court and including argument on them in the instant papers is improper. *See, e.g.*, Local Rule
4 IC 2-2(b). To the extent Defendant feels supplementation is necessary with respect to sealing
5 requests that are not presently at issue before the undersigned judge, then Defendant must file
6 separate documents seeking such relief.

1 Docket No. 37-2, Docket No. 37-3. The motions to seal (Docket Nos. 31, 37) are **DENIED** as
2 moot.

3 While the Court need not address the substance of the motions to seal in light of the above
4 order, it must note that the parties have made a mess of the docket and displayed unfamiliarity
5 with basic procedures of federal court. To the extent there is renewed motion practice on the
6 underlying discovery disputes, counsel must comply with all applicable rules, including those
7 related to moving to seal judicial filings.

8 IT IS SO ORDERED.

9 Dated: September 16, 2022

10 
11 Nancy J. Koppe
United States Magistrate Judge

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28