

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 * * *

4 SIGNIFY NORTH AMERICA
5 CORPORATION and SIGNIFY
6 HOLDING B.V.,

7 Plaintiffs,

8 v.

9 LEPRO INNOVATION INC., LE
10 INNOVATION INC., INNOVATION
11 RULES INC., HOME EVER INC., and
12 LETIANLIGHTING, INC.,

13 Defendants.

Case No. 2:22-cv-02095-JAD-EJY

ORDER

14 Pending before the Court is Defendants' Motion to Seal. ECF No. 147. Defendants seek to
15 seal its Response to Plaintiffs' Motion to Compel and Exhibit B thereto (ECF 145) because these
16 documents contain highly confidential information. *Id.* at 2.

17 As the party seeking to seal a judicial record, Defendants must meet its burden of overcoming
18 the strong presumption in favor of access and public policies favoring disclosure. *Kamakana v. City
19 and Cnty. of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006) (holding that those who seek to
20 maintain the secrecy of documents attached to dispositive motions must meet the high threshold of
21 showing that "compelling reasons" support secrecy). However, where a party seeks to seal
22 documents attached to a non-dispositive motion, the "public policies that support the right of access
23 to dispositive motions ... do not apply with equal force" *Id.*, 417 F.3d at 1179 (citation omitted).

24 The mere fact that the production of records may lead to a party's embarrassment,
25 incrimination or exposure to further litigation will not alone compel the court to seal its records.
26 *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1136 (9th Cir. 2003). Compelling reasons
27 require a demonstration of something more, such as when court files have become a vehicle for
28 improper purposes, including use of records to gratify private spite, promote public scandal,
disseminate libelous statements, or circulate trade secrets. *Nixon v. Warner Commc'ns*, 435 U.S.
589, 598 (1978).

