THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARIA UCHYTIL, on behalf of the United States of America,

Plaintiff,

v.

AVANDE INC., a Washington corporation, *et al.*,

Defendants.

CASE NO. C12-2091-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on the parties' stipulated motions to seal (Dkt. Nos. 160, 176) exhibits to Plaintiff's responses to Defendants' motions to exclude testimony (Dkt. Nos. 152, 154) and for summary judgment (Dkt. No. 178). The exhibits at issue (Dkt. Nos. 164, 167, 180) are documents produced by Defendants, the Federal Government, and the Federal Home Loan Bank of Chicago ("FHLBC"). (Dkt. No. 176 at 1.) The producing parties have marked the documents as confidential pursuant to the operative protective order in this case.

The parties' protective order does not presumptively entitle information designated as confidential to be filed under seal. (Dkt. No. 110 at 1–2.) This district's Local Civil Rules require a party who designates a document as confidential to provide legal and factual justification for

sealing such a document when it is offered by an opposing party. W.D. Wash. Local Civ. R. 5(g)(3). The seventy-six documents Plaintiff seeks to file under seal include a number of deposition transcripts, responses to interrogatories, and an expert report, among other business documents. (*See* Dkt. Nos. 164, 167, 180.) It is not readily apparent to the Court why these documents are confidential, what portions of the documents contain sensitive information, or why redaction was not a sufficient alternative to sealing. Defendants are ORDERED to provide a response to the stipulated motions identifying and addressing these questions for the relevant documents they designated as confidential. This response must comply with Local Civil Rule 5(g)(3)(B) and make a showing as to why redaction is not an acceptable alternative to sealing.

DATED this 7th day of June 2018.

William M. McCool
Clerk of Court

s/Tomas Hernandez
Deputy Clerk