

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ABDIQAFAR WAGAFE, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

CASE NO. C17-94 RAJ

**ORDER GRANTING
MOTIONS TO SEAL**

This matter comes before the Court on Plaintiffs' motions to seal. Dkt. ## 311, 315. For the reasons stated below, the Court **GRANTS** the motions.

"There is a strong presumption of public access to the court's files." Western District of Washington Local Civil Rule ("LCR") 5(g). "Only in rare circumstances should a party file a motion, opposition, or reply under seal." LCR 5(g)(5). Normally the moving party must include "a specific statement of the applicable legal standard and the reasons for keeping a document under seal, with evidentiary support from declarations where necessary." LCR 5(g)(3)(B).

However, where parties have entered a stipulated protective order governing the exchange in discovery of documents that a party deems confidential, "a party wishing to file a confidential document it obtained from another party in discovery may file a motion

1 to seal but need not satisfy subpart (3)(B) above. Instead, the party who designated the
2 document confidential must satisfy subpart (3)(B) in its response to the motion to seal or
3 in a stipulated motion.” LCR 5(g)(3). A “good cause” showing under Rule 26(c) will
4 suffice to keep sealed records attached to non-dispositive motions. *Kamakana v. City &*
5 *County of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006) (internal citations omitted).
6 For dispositive motions, the presumption may be overcome by demonstrating
7 “compelling reasons.” *Id.*; *Foltz v. State Farm Mutual Auto. Ins. Co.*, 331 F.3d 1135-36
8 (9th Cir. 2003).

9 Plaintiffs move to seal Exhibits 1-3 of the Hyatt Declaration (Dkt. # 314) and
10 Exhibits C-F of the Sepe Declaration (Dkt. # 318) because Defendants have designated
11 these documents as “Confidential” under the parties’ protective order. Dkt. # 311 at 2;
12 Dkt. # 315 at 2. Defendants argue that these documents contain sensitive but unclassified
13 information about how USCIS officers investigate and vet national security and that
14 disclosure of this information could cause nefarious individual to modify their behavior
15 and thereby avoid detection. Dkt. # 323 at 3; Dkt. # 324 at 3. The Court finds that
16 Defendants have established “good cause” for keeping this limited subset of documents
17 under seal. The Court **GRANTS** Plaintiffs’ motion as to Exhibits 1-3 of the Hyatt
18 Declaration (Dkt. # 314) and Exhibits C-F of the Sepe Declaration (Dkt. # 318)

19 For the reasons stated above, the Court **GRANTS** Plaintiffs’ motions to seal. Dkt.
20 ## 311, 315.

21 Dated this 4th day of February, 2020.

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25 The Honorable Richard A. Jones
26 United States District Judge
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