

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Mark Watkins, et al. v. AvalonBay Communities, Inc.

Watkins · No. 25CV1119-AJB (BLM) · Decided December 3, 2025

SUMMARY

The United States District Court for the Southern District of California grants Plaintiffs’ ex parte motion to file under seal their reply supporting a motion to compel further discovery responses. Applying the good-cause standard to a non-dispositive discovery dispute and relying on the parties’ protective order, the Court orders the unredacted reply filed under seal while allowing the redacted version to remain publicly filed.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Barbara L. Major
JURISDICTION	United States District Court for the Southern District of California
DECIDED	December 3, 2025
DOCKET	25CV1119-AJB (BLM)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs filed an ex parte motion to file under seal an unredacted reply supporting their motion to compel further discovery responses. The motion was decided by the magistrate judge in connection with a non-dispositive discovery dispute.
STANDARD OF REVIEW	For discovery motions attached to non-dispositive motions and filed under seal pursuant to a valid protective order, the good-cause standard under Federal Rule of Civil Procedure 26(c) applies.
PRECEDENTIAL VALUE	Nonprecedential district court order
PARTIES	Mark Watkins, et al. v. AvalonBay Communities, Inc.

TOPICS

- discovery dispute
- civil procedure
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiffs showed sufficient good cause under Federal Rule of Civil Procedure 26(c) to seal their unredacted reply and the confidential materials referenced in it.

HOLDINGS

1. Because the reply concerned a non-dispositive discovery dispute, was filed pursuant to a valid protective order, and relied on materials designated confidential, the public-access presumption was rebutted and good cause supported sealing the unredacted reply.

KEY QUOTATIONS

“For discovery motions attached to non-dispositive motions and filed under seal pursuant to a valid protective order, ‘the usual presumption of the public’s right of access [to court filings is rebutted].’” (at 2)

FACTUAL BACKGROUND

The parties entered a stipulated protective order that designated certain discovery responses, declarations, policy documents, and other materials as confidential. Plaintiffs' reply in support of their motion to compel relied on materials Defendant had designated confidential and on evidence filed under seal in support of Defendant's opposition. The parties met and conferred, and neither party opposed filing the material under seal.

PROCEDURAL HISTORY

The action was removed from San Diego Superior Court to the Southern District of California on May 2, 2025. The parties subsequently entered a stipulated protective order, and Plaintiffs filed a motion to compel further discovery responses along with related motions to seal portions of the briefing. After previously granting sealing requests concerning portions of the motion to compel and Defendant's opposition, the Court granted Plaintiffs' motion to seal the unredacted reply.

DISPOSITION

other

CASES CITED

- Orthopaedic Hospital v. Encore Medical, L.P., 2021 WL 5449041, at *2 (S.D. Cal. Nov. 19, 2021)
- Phillips ex rel. Estates of Byrd v. General Motors Corp., 307 F.3d 1206, 1213 (9th Cir. 2002)
- Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1180 (9th Cir. 2006)