

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Estate of Vincent Frank Boscaino, Jr., by and through Shannon
Villarroel, as administrator, et al. v. Adventist Health Hanford, et al.

Boscaino · No. 1:24-cv-00689-JLT-EPG · Decided October 15, 2025

SUMMARY

The United States District Court for the Eastern District of California denied without prejudice Defendant Mark Monterroso’s motion to seal medical records filed as exhibits to his motion for summary judgment. The court held that the defendant failed to articulate compelling reasons overcoming the presumption of public access to judicial records, and noted that a protective order alone does not justify sealing.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 15, 2025
DOCKET	1:24-cv-00689-JLT-EPG
DISPOSITION	other
PROCEDURAL POSTURE	Defendant Mark Monterroso moved to seal medical records filed as exhibits to his motion for summary judgment. The court denied the motion without prejudice.
STANDARD OF REVIEW	The court applied the Ninth Circuit's compelling-reasons standard for sealing judicial records and exercised its discretion to balance the public's right of access against the interests asserted in support of sealing.
PRECEDENTIAL VALUE	Unknown; district-court order
PARTIES	Estate of Vincent Frank Boscaino, Jr., by and through Shannon Villarroel, as administrator, et al. v. Adventist Health Hanford, et al.

TOPICS

- medical records privacy
- motions to dismiss
- summary judgment
- evidence
- civil procedure

PRACTICE AREAS

Civil procedure

Evidence

Health law

QUESTIONS PRESENTED

1. Whether medical records attached to a motion for summary judgment should be sealed based solely on their designation as confidential under a protective order.
2. Whether the asserted privacy interests in Decedent's medical records established compelling reasons sufficient to overcome the strong presumption of public access to judicial records.

HOLDINGS

1. A protective order does not, by itself, require the court to seal information filed in the judicial record; the party seeking sealing must independently satisfy the applicable compelling-reasons standard.
2. The asserted confidentiality and medical-privacy interests did not establish compelling reasons to seal the medical records because the records were central to the case and Defendant offered no specific factual basis showing that sealing was warranted.

KEY QUOTATIONS

“In order to overcome this strong presumption, a party seeking to seal a judicial record bears the burden of articulating compelling reasons, which are supported by specific facts, that outweigh the historical right of access and the public policies favoring disclosure.” (at 2)

“Thus, the fact that the parties agreed to information being deemed confidential in discovery does not require the Court to seal that information on the record.” (at 2)

“Accordingly, IT IS ORDERED that Defendant’s motion to seal (ECF No. 80) is DENIED without prejudice.” (at 3)

FACTUAL BACKGROUND

Plaintiffs' amended complaint alleges that Defendants failed to provide adequate medical care to Vincent Frank Boscaino, Jr., resulting in his death. Defendant Monterroso attached medical records concerning Decedent's treatment to his motion for summary judgment and sought to seal them because they contained confidential information covered by a protective order.

PROCEDURAL HISTORY

Plaintiffs filed an amended complaint asserting claims under 42 U.S.C. § 1983 and California law concerning the alleged failure to provide adequate medical care to Decedent Vincent Frank Boscaino, Jr. Defendant Monterroso filed a motion for summary judgment and inadvertently attached medical records subject to a stipulated protective order. He then moved to seal the records, which the court denied without prejudice because he failed to establish compelling reasons for sealing.

DISPOSITION

other

CASES CITED

- Kamakana v. City & Cnty. of Honolulu, 447 F.3d 1172, 1178-79 (9th Cir. 2006)
- Nixon v. Warner Commc'ns, Inc., 435 U.S. 589, 597 & n.7 (1978)
- EpicentRx, Inc. v. Carter, No. 3:20-CV-01058-JO-DDL, 2023 WL 4336695, at *1 (S.D. Cal. May 16, 2023)
- Center for Auto Safety v. Chrysler Group, LLC, 809 F.3d 1092, 1097 (9th Cir. 2016)
- Weisberg v. Takeda Pharms. U.S.A., Inc., No. CV 18-784 PA (JCX), 2018 WL 6252458, at *3 (C.D. Cal. July 3, 2018)
- Marsh v. Cnty. of San Diego, 680 F.3d 1148, 1153 n.1 (9th Cir. 2012)
- Marsh v. Cnty. of San Diego, No. CIV. 05CV1568 JLS AJ, 2007 WL 3023478, at *3 (S.D. Cal. Oct. 15, 2007)

OPINION

Estate of Vincent Frank Boscaino, Jr., by and through Shannon Villarroel, as administrator, et al. v. Adventist Health Hanford, et al.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 ESTATE OF VINCENT FRANK Case No. 1:24-cv-00689-JLT-EPG BOSCAINO, JR., by
and through Shannon 12 Villarroel, as administrator, et al. 13 Plaintiffs, ORDER DENYING
MOTION TO SEAL

WITHOUT PREJUDICE

14 v. (ECF No. 80)

15 ADVENTIST HEALTH HANFORD, et

al., 16 Defendants. 17 18

19 I. INTRODUCTION

20 Plaintiffs' amended complaint, filed in part under 42 U.S.C. § 1983, brings Federal and 21
California state law claims, primarily alleging that various Defendants failed to provide 22
adequate medical care to Decedent Vincent Frank Boscaino, Jr., which ultimately led to his death.
23 (ECF No. 8). Defendant Mark Monterroso, a doctor involved in Decedent's care, filed a motion
24 for summary judgment on September 18, 2025, which has been referred to the undersigned.
(ECF
25 Nos. 70, 73).

26 Now before the Court is Defendant's motion to seal medical records included as exhibits to the
motion for summary judgment. (ECF No. 80). 27 Counsel for Defendant MARK
MONTERROSO, M.D. ("Dr. Monterroso") 28 1 respectfully notifies the Court that, on September

18, 2025, counsel inadvertently filed medical records containing confidential information subject to the Protective Order No. 47 as part of Dr. Monterroso's Statement of Evidence, Tab 2, Exhibit A to Dr. Monterroso's Motion for Summary Judgment, No. 70-3. Pursuant to Local Rule 141 and the Court's Protective Order, Dr. Monterroso respectfully requests that Statement of Evidence, Tab 21, Exhibit A to Dr. Monterroso's Motion for Summary Judgment, No. 70-3 be restricted from public access and placed under seal. (Id. at 2). As explained below, the Court will deny the motion without prejudice to any party, including the Estate of Decedent, filing a renewed motion.

II. ANALYSIS

"Historically, courts have recognized a 'general right to inspect and copy public records and documents, including judicial records and documents.'" *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597 & n.7 (1978)); see also Local Rule 141(a) ("Documents may be sealed only by written order of the Court, upon the showing required by applicable law."). Unless a court record is "traditionally kept secret, a strong presumption in favor of access is the starting point." *Kamakana*, 447 F.3d at 1178 (quotation marks and citation omitted). In order to overcome this strong presumption, a party seeking to seal a judicial record bears the burden of articulating compelling reasons, which are supported by specific facts, that outweigh the historical right of access and the public policies favoring disclosure. *Id.* at 1178–79; see *EpicentRx, Inc. v. Carter*, No. 3:20-CV-01058-JO-DDL, 2023 WL 4336695, at *1 (S.D. Cal. May 16, 2023) ("The 'compelling reasons' standard applies to motions for summary judgment because they are more than tangentially related to the merits of the case."). The Court must "conscientiously balance[] the competing interests of the public and the party" seeking to seal the judicial record. *Kamakana*, 447 F.3d at 1179 (quotation marks and citation omitted). And "[a]fter considering these interests, if the court decides to seal certain judicial records, it must base its decision on a compelling reason and articulate the factual basis for its ruling, without relying on hypothesis or conjecture." *Id.* The determination as to what is a "compelling reason" is within the Court's "sound discretion." *Center for Auto Safety v. Chrysler Group, LLC*, 809 F.3d 1092, 1097 (9th Cir. 2016) (citation omitted). Examples of compelling reasons include where a record might "become a vehicle for improper purposes," such as to "gratify private spite, promote public scandal, circulate libelous statements, or release trade secrets." *Kamakana*, 447 F.3d at 1179. However, "the mere fact that the production of records may lead to a litigant's embarrassment, incrimination, or exposure to further litigation will not,

without more, compel the court to seal its records.” Id. 9 Here, Defendant’s only argument is that the medical records should be sealed because 10 they contain “confidential information subject to the Protective Order No. 47.” (ECF No. 80, p. 11 2). However, as noted in the Court’s December 26, 2024 order approving the protective order, in 12 part, ““a protective order may not bind the Court” and “to the extent that the protective order 13 conflicts with the Court’s established practices or Rules . . . the Court’s established practices or 14 Rules will govern.” (ECF No. 49, p. 2) (citation omitted). Thus, the fact that the parties agreed to 15 information being deemed confidential in discovery does not require the Court to seal that 16 information on the record. Regardless, as the Ninth Circuit has noted, “[t]he ‘compelling reasons’ 17 standard is invoked even if the dispositive motion, or its attachments, were previously filed under 18 seal or protective order.” Kamakana, 447 F.3d at 1179. Here, Defendant has failed to articulate 19 compelling reasons to seal the medical records. 20 Moreover, the medical records are central to this case, as they concern Decedent’s 21 treatment. See *Weisberg v. Takeda Pharms. U.S.A., Inc.*, No. CV 18-784 PA (JCX), 2018 WL 22 6252458, at *3 (C.D. Cal. July 3, 2018) (“Accordingly, to a certain extent, Plaintiff has put his 23 medical history at issue in this case. In addition, given the facts of this case, Plaintiff’s invocation, in passing, of the Health Insurance Portability and Accountability Act of 1992 and potential 24 privacy rights protected by the federal and California constitutions is insufficient persuade the 25 Court that compelling reasons justify sealing all references to Plaintiff’s medical history.”). 26 Further, “an individual’s privacy rights with regard to medical records is diminished after death.” 27 *Marsh v. Cnty. of San Diego*, No. CIV. 05CV1568 JLS AJ, 2007 WL 3023478, at *3 (S.D. Cal. 28 1 } Oct. 15, 2007). And “[the] privacy right belongs, not to the deceased, but to the survivors.” *Marsh 2 | v. Cnty. of San Diego*, 680 F.3d 1148, 1153 n.1 (9th Cir. 2012).

3 I. CONCLUSION AND ORDER

4 Accordingly, IT IS ORDERED that Defendant’s motion to seal (ECF No. 80) is DENIED 5 | without prejudice. IT IS SO ORDERED. 7 g | Dated: _ October 15, 2025 [sf ey

9 UNITED STATES MAGISTRATE JUDGE

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