

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Imber v. Lackey

No. 1:22-cv-00004-HBK (E.D. Cal. June 16, 2025) · No. 1:22-cv-00004-HBK · Decided June 17, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Plaintiff’s unopposed request to seal an 18-page supplemental confidential agreement submitted in connection with a motion for preliminary approval of a class action settlement. The court found that sealing served compelling interests and that no less restrictive alternative would adequately protect those interests.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Helena M. Barch-Kuchta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 17, 2025
DOCKET	1:22-cv-00004-HBK
DISPOSITION	other
PROCEDURAL POSTURE	The court considered Plaintiff’s unopposed request to seal an 18-page supplemental confidential agreement submitted in connection with Plaintiff’s motion for preliminary approval of a class-action settlement.
STANDARD OF REVIEW	The court applied the compelling-reasons factors governing requests to seal judicial records.
PRECEDENTIAL VALUE	Unknown

TOPICS

- class actions
- civil procedure

PRACTICE AREAS

- civil procedure
- class actions
- contracts

QUESTIONS PRESENTED

1. Whether the supplemental confidential settlement agreement should be filed under seal because sealing serves compelling interests that would be harmed absent closure and no adequate alternative exists.

HOLDINGS

1. The court granted Plaintiff's unopposed request to seal the supplemental confidential agreement because sealing served compelling interests, those interests would be harmed absent sealing, and no less restrictive alternative would adequately protect them.

KEY QUOTATIONS

“There are compelling reasons to keep this information confidential in order to prevent third parties from utilizing it for the improper purpose of obstructing the settlement and obtaining higher payouts.” (1)

FACTUAL BACKGROUND

Plaintiff sought to seal an 18-page supplemental confidential agreement associated with a motion for preliminary approval of a class-action settlement. Plaintiff asserted that confidentiality was necessary to prevent third parties from obstructing the settlement or seeking higher payouts. The request was unopposed.

PROCEDURAL HISTORY

Plaintiff filed a request to seal the supplemental confidential agreement on May 21, 2025. Defendants did not oppose the request under Local Rule 141(c), and the court granted it after applying the Ninth Circuit's compelling-reasons standard for sealing judicial records.

DISPOSITION

other

CASES CITED

- Oregonian Publishing Co. v. U.S. District Court for the District of Oregon, 920 F.2d 1462 (9th Cir. 1990)
- Hefler v. Wells Fargo & Co., 2018 WL 4207245 (N.D. Cal. Sept. 4, 2018)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 BRANDON IMBER, individually and on Case No. 1:22-cv-00004-HBK
behalf of all other similarly situated, 12 ORDER GRANTING NOTICE OF REQUEST Plaintiff,
TO SEAL 13 v. (Doc. No. 157) 14 BRUCE LACKEY, PAM LACKEY, 15 LACKEY FAMILY
TRUST, COLE SCHARTON, THE ADMINISTRATIVE 16 COMMITTEE OF THE PEOPLE
BUSINESS EMPLOYEE STOCK 17 OWNERSHIP PLAN, MIGUEL PAREDES, RICH
ROUSH, DEL 18 THACKER, RICHARD DEYOUNG, AND RITCHIE TRUCKING SERVICE
19 HOLDINGS, INC., 20 Defendants.

21 On May 21, 2025, Plaintiff filed a request to seal an 18-page supplemental confidential 22 agreement as part of Plaintiff's Motion for Preliminary Approval of Class Action Settlement. 23 (Doc. No. 157). Defendants did not submit an opposition under Local Rule 141(c). 24 The Court has considered the factors set forth in *Oregonian Publishing Co. v. U.S. 25 District Court for the District of Oregon*, 920 F.2d 1462 (9th Cir.

1990). The Court finds that, for 26 the reasons stated in the Plaintiff's request, sealing the supplemental confidential agreement 27 serves a compelling interest. See, e.g., *Hefler v. Wells Fargo & Co.*, 2018 WL 4207245 (N.D. 28 1 | Cal. Sept. 4, 2018) (collecting cases) ("There are compelling reasons to keep this information 2 | confidential in order to prevent third parties from utilizing it for the improper purpose of 3 | obstructing the settlement and obtaining higher payouts.").

The Court further finds that, in the 4 | absence of closure, the compelling interests identified by Plaintiff would be harmed. In light of 5 | the public filing of its Notice to Seal, the Court further finds that there are no additional 6 | alternatives to sealing the supplemental confidential agreement that would adequately protect the 7 | compelling interests identified by the Plaintiff.

8 Accordingly, it is ORDERED: 9 1. Plaintiff's unopposed request to seal documents (Doc. No. 157) is GRANTED. 10 2. Within five (5) days of this Order, Plaintiff shall provide an electronic copy of the 11 | document to be sealed to the Clerk of Court by email to: ApprovedSealed@caed.uscourts.gov, at 12 | which time the Clerk of Court will file the documents under seal.

See Local Rule 141(e)(2)q). 13 Dated: __June 16,2025 Wiha. ☐☐ fares Zackte 15 HELENA M. BARCH-KUCHTA 6 UNITED STATES MAGISTRATE JUDGE 17 18 19 20 21 22 23 24 25 26 27 28