

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

Justin Cox v. First Student Inc.

Cox · No. 3:25-cv-05497-DGE · Decided December 1, 2025

SUMMARY

The United States District Court for the Western District of Washington ruled on First Student Inc.'s motion to seal exhibits filed in connection with a motion to compel arbitration. The court denied sealing for exhibits concerning business information about the company's bus fleet and maintenance, finding that the defendant had not shown compelling reasons or provided a narrowly tailored request. The court granted sealing for exhibits containing nonparty employees' personally identifying and employment-related information and directed the Clerk to seal those exhibits.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
WRITING FOR THE COURT	David G. Estudillo
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	December 1, 2025
DOCKET	3:25-cv-05497-DGE
DISPOSITION	other
PROCEDURAL POSTURE	The court decided the defendant's motion to seal exhibits filed in connection with the plaintiff's opposition to a motion to compel arbitration.
STANDARD OF REVIEW	The court applied the strong presumption of public access to judicial records and required the moving party to establish compelling reasons for sealing, supported by a specific factual basis and narrowly tailored request.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation and metadata indicating unknown precedential status.

TOPICS

- civil procedure
- motions to dismiss
- employment arbitration
- employment law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether First Student established compelling reasons to overcome the strong presumption of public access and seal Exhibits B through J.
2. Whether the business and fleet-related information in Exhibits B, C, D, G, H, I, and J was sufficiently specific and competitively sensitive to justify sealing.
3. Whether the personal and employment information concerning nonparty employees in Exhibits E and F justified sealing.

HOLDINGS

1. A party seeking to seal judicial records must overcome the strong presumption of public access by establishing compelling reasons and articulating a specific factual basis for sealing without relying on hypothesis or conjecture.
2. First Student did not establish compelling reasons to seal Exhibits B, C, D, G, H, I, and J because its generalized assertions concerning fleet size, competitive harm, and confidentiality lacked a specific factual explanation and the request was not narrowly tailored.
3. Compelling reasons justified sealing Exhibits E and F because they contained personally identifying and employment-related information about nonparty employees whose investigation and termination were unrelated to the litigation and whose privacy interests outweighed the public interest in access.

KEY QUOTATIONS

“Although ‘access to judicial records is not absolute,’ there is a ‘strong presumption in favor of access.’”
(at 2)

“Under the compelling reasons standard, ‘a court may seal records only when it finds ‘a compelling reason and articulate[s] the factual basis for its ruling, without relying on hypothesis or conjecture.’” (at 2-3)

“Simply defining the information as confidential and concluding it should not be publicly available ‘does not demonstrate [the exhibits] are properly sealable.’” (at 6)

FACTUAL BACKGROUND

First Student sought to seal internal communications concerning its school-bus fleet, maintenance issues, fleet numbers, safety concerns, and the termination-related investigation of a nonparty employee. The exhibits had been submitted in connection with Cox's opposition to First Student's motion to compel arbitration. First Student asserted that disclosure could harm its competitive position and reveal confidential business or personal information, while Cox disputed the confidentiality of the materials and noted that they had previously been produced unsealed in Ohio litigation.

PROCEDURAL HISTORY

First Student moved under Local Civil Rule 5(g) to seal Exhibits B through J attached to Cox's opposition to the motion to compel arbitration. Cox did not oppose sealing materials that were truly confidential or proprietary but disputed that the exhibits met that standard. The court denied sealing for Exhibits B, C, D, G, H, I, and J, and granted sealing for Exhibits E and F.

DISPOSITION

other

CASES CITED

- Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1178-79 (9th Cir. 2006)
- Ctr. for Auto Safety v. Chrysler Grp., LLC, 809 F.3d 1092, 1096-97 (9th Cir. 2016)
- Foltz v. State Farm Mut. Auto. Ins. Co., 331 F.3d 1122, 1135 (9th Cir. 2003)
- Nixon v. Warner Communications, Inc., 435 U.S. 589, 598-99 (1978)
- Ohana Military Communities, LLC v. Barber, 2019 WL 13323121, at *3 (D. Haw. Feb. 14, 2019)
- In re Apple Inc. Device Performance Litigation, 2019 WL 1767158, at *2 (N.D. Cal. Apr. 22, 2019)
- Transperfect Global, Inc. v. Motionpoint Corp., 2013 WL 209678, at *1 (N.D. Cal. Jan. 17, 2013)
- ImprimisRx, LLC v. OSRX, Inc., 2024 WL 1269474, at *2 (S.D. Cal. Mar. 25, 2024)
- In re Bank of America California Unemployment Benefits Litigation, 2024 WL 4820704, at *6 (S.D. Cal. Nov. 12, 2024)
- In re Google Location History Litigation, 514 F. Supp. 3d 1147, 1162 (N.D. Cal. 2021)
- Sjostrom v. Kraatz, 2016 WL 3940886, at *2 (N.D. Cal. July 21, 2016)
- Hagestad v. Tragesser, 49 F.3d 1430, 1434 (9th Cir. 1995)
- Hodges v. Apple, Inc., 2013 WL 6070408, at *2 (N.D. Cal. Nov. 18, 2013)
- Fairbairn v. Fidelity Investments Charitable Gift Fund, 2020 WL 6788864, at *1 (N.D. Cal. Mar. 2, 2020)
- 3D Systems, Inc. v. Wynne, 2024 WL 1122377, at *3 (C.D. Cal. Mar. 14, 2024)
- eBay Inc. v. Boch, 2022 WL 1131720, at *2 (N.D. Cal. Mar. 21, 2022)
- Aevoe Corp. v. AE Tech. Co., 2013 WL 5923426, at *2 (D. Nev. Nov. 1, 2013)
- TriQuint Semiconductor, Inc. v. Avago Technologies, Ltd., 2011 WL 4947343, at *3 (D. Ariz. Oct. 18, 2011), on reconsideration, 2011 WL 5190264 (D. Ariz. Nov. 1, 2011)