

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Schmidt v. Moss Landing Power Company, LLC

Schmidt · No. 25-cv-02475-SK · Decided March 13, 2025

SUMMARY

The United States District Court for the Northern District of California reserved ruling on Defendants’ motion to seal an entire agreement attached to the notice of removal. The Court found the request overbroad and ordered Defendants to file an amended declaration narrowly identifying the portions requiring sealing by March 18, 2025, warning that failure to do so would result in denial of the motion.

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
MARY-ELIZA SCHMIDT, et al., Case No. 25-cv-02475-SK 8 Plaintiffs, ORDER RESERVING
RULING ON 9 v. MOTION TO SEAL 10 MOSS LANDING POWER COMPANY, LLC, et al.,
Regarding Docket No. 2 11 Defendants. 12 13 Now before the Court is the motion to seal an
entire exhibit attached to the notice of 14 removal.

Historically, courts have recognized a “general right to inspect and copy public records 15 and
documents, including judicial records.” *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597 16
and n. 7 (1978). Thus. “[u]nless a particular court record is one ‘traditionally kept secret,’ a 17
‘strong presumption in favor of access’ is the starting point.” *Kamakana v. City and Cnty. of 18*
Honolulu, 447 F.3d 1172, 1178 (9th Cir.

2006) (quoting *Foltz v. State Farm Mut. Auto. Ins. Co.*, 19 331 F.3d 1122, 1135 (9th Cir. 2003)).
To overcome this strong presumption, a party seeking to 20 seal a judicial record must articulate
“compelling reasons supported by specific factual findings 21 that outweigh the general history of
access and the public policies favoring disclosure.” *Id.* at 22 1178-79 (internal quotation marks
and citations omitted).

As recognized by the Civil Local Rules, 23 “[a] party must explore all reasonable alternatives to
filing documents under seal, minimize the 24 number of documents filed under seal, and avoid
wherever possible sealing entire documents (as 25 opposed to merely redacting the truly sensitive
information in a document).” N.D. Civ. L.R. 79- 26 5(a). 27 In Defendants’ motion to seal, they
seek to seal an entire lengthy agreement, instead of 1 motion is overbroad.

The Court HEREBY RESERVES RULING on Defendants' motion to seal. 2 By no later than March 18, 2025, Defendants shall file an amended declaration with the agreement 3 attached narrowly seeking to file under seal only those portions that reveal confidential aspects of 4 || the agreement. If Defendants fail to file the declaration by March 18, 2025, the Court will deny 5 the motion to seal in full.

6 IT IS SO ORDERED. 7 Dated: March 13, 2025 □ Atlin [rw SALLIE KIM 9 United States Magistrate Judge 10 11 12 13 15 16 = 17 Z 18 19 20 21 22 23 24 25 26 27 28