

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Naqibullah Nadeem Mohammadullah Khan v. United States of
America

Mohammadullah Khan · No. 2:25-cv-1522-DC-CKD (PS) · Decided July 29, 2025

SUMMARY

The United States District Court for the Eastern District of California partially granted the plaintiff’s renewed motion to seal. The court ordered Exhibit A filed under seal but denied sealing the complaint because the plaintiff did not show a substantial probability of specific harm, while directing that the previously filed unredacted complaint be sealed because a partially redacted version had been filed.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Carolyn K. Delaney
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 29, 2025
DOCKET	2:25-cv-1522-DC-CKD (PS)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a renewed motion to seal the complaint and supporting materials in an action under the Federal Tort Claims Act. The court considered the renewed motion and Exhibit A submitted in support of it.
STANDARD OF REVIEW	A request to seal judicial records requires a particularized showing that specific prejudice or harm will result if the records remain public; for materials relating only tangentially to the merits, good cause may support sealing, while materials connected to the merits require compelling reasons.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- civil procedure
- torts
- pleadings

PRACTICE AREAS

civil procedure

Federal Tort Claims Act

QUESTIONS PRESENTED

1. Whether Exhibit A, which was at most tangentially related to the merits of the case, should be filed under seal upon a showing of good cause.
2. Whether plaintiff established compelling reasons to seal the complaint based on concerns about retaliation, threatened violence, and loss of property.

HOLDINGS

1. Exhibit A should be filed under seal because it was at most tangentially related to the merits and good cause supported sealing it.
2. The renewed request to seal the complaint was denied because plaintiff did not make a particularized showing of specific prejudice or harm or establish a substantial probability that a compelling interest would be harmed if the complaint remained unsealed.

KEY QUOTATIONS

“The standard is a very difficult standard to meet.” (at 1)

“Thus, the further renewed request to seal the complaint does not meet the “compelling reasons” threshold of supporting secrecy.” (at 1)

FACTUAL BACKGROUND

Plaintiff brought an action under the Federal Tort Claims Act and sought to seal his complaint and supporting documents based on concerns about retaliation, previously threatened violence, and loss of property. Exhibit A submitted in support of the renewed motion was at most tangentially related to the merits. Plaintiff refiled the complaint with redactions limited to individuals' dates of birth and minors' names, after which the court sealed the earlier unredacted complaint.

PROCEDURAL HISTORY

The court previously denied plaintiff's motions to seal the complaint on June 6 and July 14, 2025, concluding that plaintiff had not shown a substantial probability that a compelling interest would be harmed absent sealing. After the court ordered plaintiff to refile the complaint with limited redactions, plaintiff filed a partially redacted complaint and renewed the request to seal.

DISPOSITION

other

CASES CITED

- Center for Auto Safety v. Chrysler Group, LLC, 809 F.3d 1092, 1096 (9th Cir. 2016)
- Phillips ex rel. Estates of Byrd v. General Motors Corp., 307 F.3d 1206, 1210-11 (9th Cir. 2002)
- Kamakana v. City & County of Honolulu, 447 F.3d 1172, 1182 (9th Cir. 2006)
- Oregonian Publishing Co. v. U.S. District Court for the District of Oregon, 920 F.2d 1462, 1466 (9th Cir. 1990)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 NAQIBULLAH NADEEM No. 2:25-cv-1522-DC-CKD (PS)
MOHAMMADULLAH KHAN, 12 Plaintiff, 13 ORDER v. 14 UNITED STATES OF AMERICA,
15 Defendants. 16 17 Plaintiff seeks relief under the Federal Tort Claims Act. (ECF No. 1.)

On June 6, 2025, 18 and on July 14, 2025, the undersigned denied plaintiff's motions to seal the complaint, finding in 19 relevant part that plaintiff did not articulate a substantial probability that a compelling interest 20 would be harmed in the absence of sealing. Plaintiff's further renewed motion to seal is before the 21 court. (ECF No. 18.)

The court has also reviewed Exhibit A submitted in support of the renewed 22 motion to seal. 23 Plaintiff's Exhibit A submitted in support of the motion to compel is at most tangentially 24 related to the merits of this case, and the court finds good cause to seal Exhibit A. See Center for 25 Auto Safety v. Chrysler Group, LLC, 809 F.3d 1092, 1096 (9th Cir.

2016). On this point only, the 26 further renewed motion to seal will be granted. 27 Plaintiff's concerns about the possibility of retaliation, previously threatened violence, and 28 loss of property are compelling interests.

However, plaintiff has not made a particularized 1 | showing that specific prejudice or harm will result if the complaint is not sealed. See Phillips ex 2 || rel. Estates of Byrd v. Gen. Motors Corp., 307 F.3d 1206, 1210-11 (9th Cir. 2002); Fed. R. Civ. 3 || P. 26(c).

The standard is a very difficult standard to meet. Although the court is sympathetic to 4 || plaintiffs concerns, plaintiff has not articulated a factual basis showing a substantial probability 5 || that his compelling interests would be harmed in the absence of sealing. See Kamakana v. City & 6 || Cty. of Honolulu, 447 F.3d 1172, 1182 (9th Cir. 2006).

Thus, the further renewed request to seal 7 || the complaint does not meet the "compelling reasons" threshold of supporting secrecy. See 8 || Center for Auto Safety v. Chrysler Group, LLC, 809 F.3d 1092, 1096 (9th Cir. 2016); Oregonian 9 | Publishing Co. v. U.S. District Court for the District of Oregon, 920 F.2d 1462, 1466 (9th Cir. 10 | 1990). 11 Pursuant to the court's July 14, 2025 order (ECF No. 16), plaintiff has re-filed the 12 || complaint and its supporting documents with redactions made only as to individual's dates of 13 || birth and minor's names.

(ECF No. 17.) Accordingly, the unredacted complaint filed on June 2, 14 | 2025 (ECF No. 1) will now be sealed. 15 For the reasons set forth above, IT IS ORDERED as follows: 16 1. Plaintiff's renewed motion to seal (ECF No. 18) is GRANTED in PART, only to the 17 extent that Exhibit A to the motion shall be filed under seal; otherwise, the renewed 18 motion to seal (ECF No. 18) is DENIED.

19 2. Because plaintiff has filed the partially redacted complaint (ECF No. 17) pursuant to 20 the court's July 14, 2025 order, the unredacted complaint filed on June 2, 2025 (ECF 21 No. 1) shall be sealed. 22 | Dated: July 29, 2025 / ☐☐ I / dle ae 8 CAROLYNK. DELANEY 24 UNITED STATES MAGISTRATE JUDGE 25 || 8, khan1522.seal.3 26 27 28