

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Google LLC v. LATAM Airlines Group S.A. Inc.

No. 25-cv-04984-BLF (N.D. Cal. July 2, 2025) · No. 25-cv-04984-BLF · Decided July 2, 2025

SUMMARY

The United States District Court for the Northern District of California grants Google LLC’s administrative motion to file materials under seal in connection with its motion to expedite a preliminary-injunction hearing. Applying the good-cause standard, the court permits sealing of an unpublished Brazilian Superior Court of Justice removal order and quotations from that order because public filing could expose Google to penalties and no less restrictive alternative was adequate.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Beth Labson Freeman
JURISDICTION	United States District Court for the Northern District of California
DECIDED	July 2, 2025
DOCKET	25-cv-04984-BLF
DISPOSITION	other
PROCEDURAL POSTURE	Google LLC moved administratively to file under seal materials submitted in connection with its motion to expedite the hearing on its motion for a preliminary injunction.
STANDARD OF REVIEW	Good cause under Federal Rule of Civil Procedure 26(c), together with the requirements of Northern District of California Civil Local Rule 79-5.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district court order

TOPICS

- civil procedure
- commercial litigation
- injunctions

PRACTICE AREAS

- civil procedure
- commercial litigation

QUESTIONS PRESENTED

1. Whether Google established good cause to seal an unpublished Brazilian court order and quotations from that order filed in connection with a non-dispositive motion to expedite a hearing.
2. Whether the requested sealing was narrowly tailored under the applicable federal and local sealing standards.

HOLDINGS

1. Materials filed in connection with the motion to expedite the hearing on Google's preliminary-injunction motion were subject to the lower good-cause standard rather than the compelling-reasons standard because the motion was not more than tangentially related to the merits of the underlying action.
2. Google established good cause to seal the unpublished Brazilian court order and the quotations from that order because disclosure could subject Google to fines or penalties under the practices of the Superior Court of Justice in Brazil.
3. The requested sealing was narrowly tailored because it limited sealing to the quoted portions of the motion to expedite and the entire unpublished Brazilian order, and the court found no less restrictive alternative sufficient to protect the information.

KEY QUOTATIONS

“Accordingly, when considering a sealing request, “a ‘strong presumption in favor of access’ is the starting point.”” (at 1)

“This standard requires a “particularized showing,” id., that “specific prejudice or harm will result” if the information is disclosed.” (at 2)

FACTUAL BACKGROUND

Google sought to seal an unpublished order issued by the Superior Court of Justice in Brazil and approximately seven lines quoting that order in Google's motion to expedite a preliminary-injunction hearing. Google represented that public disclosure could expose it to fines or penalties for publishing an unpublished order, and the defendants did not oppose sealing.

PROCEDURAL HISTORY

Google filed an administrative motion to seal an unpublished Brazilian removal order and quotations from that order. LATAM Airlines Group S.A. Inc. and TAM Linhas Aereas S.A. did not oppose the motion. The court applied the good-cause standard and granted the requested sealing and redactions.

DISPOSITION

other

CASES CITED

- *Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006)
- *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 597 & n.7 (1978)
- *Foltz v. State Farm Mutual Automobile Insurance Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003)
- *Center for Auto Safety v. Chrysler Group, LLC*, 809 F.3d 1092, 1099-1101 (9th Cir. 2016)
- *Phillips ex rel. Estates of Byrd v. General Motors Corp.*, 307 F.3d 1206, 1210-11 (9th Cir. 2002)
- *Beckman Industries, Inc. v. International Insurance Co.*, 966 F.2d 470, 476 (9th Cir. 1992)
- *Kumandan v. Google LLC*, No. 19-CV-04286-BLF, 2022 WL 1501017, at *1 (N.D. Cal. May 12, 2022)
- *D.C. v. County of San Diego*, Case No. 15-cv-1868-MMA (NLS), 2021 WL 4428880, at *2-3 (S.D. Cal. Sept. 24, 2021)

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