

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Imber v. Lackey

Imber · No. 1:22-cv-00004-HBK · Decided June 24, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Plaintiff’s unopposed request to seal a 2023 Valuation Report and portions of a reply brief concerning a motion for preliminary approval of a class action settlement. The court found compelling interests supporting sealing and ordered Plaintiff to provide the documents to the Clerk for filing under seal.

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 REQUEST TO SEAL Plaintiff, 13
(Doc. No. 162) v. 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 22 On June 16, 2025, Plaintiff filed a request to seal a 2023 Valuation Report and portions of
23 Plaintiff’s reply brief regarding his Motion for Preliminary Approval of Class Action
Settlement 24 (Doc. No. 158). (Doc. No. 162). Defendants did not submit an opposition under
Local Rule 25 141(c). 26 The Court has considered the factors set forth in *Oregonian Publishing
Co. v. U.S. 27 District Court for the District of Oregon*, 920 F.2d 1462 (9th Cir.

1990). The Court finds that, for 28 the reasons stated in the Plaintiff’s request, sealing the 2023
Valuation Report and portions of the 1 | reply brief serves a compelling interest. See, e.g., *Hefler v.
Wells Fargo & Co.*, 2018 WL 2 | 4207245 (N.D. Cal. Sept. 4, 2018) (collecting cases) (“There are
compelling reasons to keep this 3 | information confidential in order to prevent third parties from
utilizing it for the improper purpose 4 | of obstructing the settlement and obtaining higher
payouts.”).

The Court further finds that, in the 5 | absence of closure, the compelling interests identified by
Plaintiff would be harmed. In light of 6 | the public filing of its Notice to Seal, the Court further
finds that there are no additional 7 | alternatives to sealing the 2023 Valuation Report and portions

of the reply brief that would 8 | adequately protect the compelling interests identified by the Plaintiff.

9 Accordingly, it is ORDERED: 10 1. Plaintiff's unopposed request to seal documents (Doc. No. 162) is GRANTED. 11 2. Within five (5) days of this Order, Plaintiff shall provide an electronic copy of the 12 | document to be sealed to the Clerk of Court by email to: ApprovedSealed@caed.uscourts.gov, at 13 | which time the Clerk of Court will file the documents under seal.

See Local Rule 141(e)(2)(q). 14 ' | Dated: _ June 24, 2025 Mihaw. Wh. foareh Zaskth 16 HELENA M. BARCH-KUCHTA UNITED STATES MAGISTRATE JUDGE 18 19 20 21 22 23 24 25 26 27 28