

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Lien Cooc v. Bureau Veritas North America Inc., et al.

Cooc · No. 2:24-cv-00906-TLN-SCR · Decided December 9, 2025

SUMMARY

The court ruled on Defendants’ amended motion for a protective order and request to seal documents in an employment discrimination action. It granted the request to seal and granted the protective-order motion in part, requiring the disputed documents to be treated as confidential and used only for the litigation, but denying requests to destroy the documents, prohibit their use, or award attorney fees. The court found factual disputes regarding whether the plaintiff improperly obtained the documents or accessed them in the ordinary course of employment.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 9, 2025
DOCKET	2:24-cv-00906-TLN-SCR
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for a protective order concerning documents Plaintiff retained from her employment and sought alternative relief requiring confidentiality and sealed filing. Defendants also moved to seal the documents. The magistrate judge granted the sealing motion and granted the protective-order motion in part and denied it in part.
STANDARD OF REVIEW	For sealing documents attached to a non-dispositive motion, a good-cause showing under Federal Rule of Civil Procedure 26(c) is sufficient. The court evaluated the protective-order requests under Federal Rules of Civil Procedure 26(c) and 37(a)(5)(C).
PRECEDENTIAL VALUE	unpublished

TOPICS

- discovery dispute
- civil procedure
- employment discrimination
- title vii
- trade secret misappropriation

PRACTICE AREAS

civil procedure

employment law

employment discrimination

trade secret misappropriation

QUESTIONS PRESENTED

1. Whether the documents submitted with Defendants' sealing request should be sealed.
2. Whether Defendants established good cause for a protective order concerning confidential or proprietary documents Plaintiff retained from her employment.
3. Whether Defendants were entitled to an order requiring Plaintiff to destroy the documents or prohibiting their use, reliance on, or reference to them.
4. Whether either side was entitled to attorney fees under Federal Rule of Civil Procedure 37(a)(5)(C).

HOLDINGS

1. Because the documents were submitted in connection with a non-dispositive motion and Defendants made a sufficient showing that they contained confidential and proprietary information, the documents were properly sealed under the good-cause standard.
2. Defendants did not establish that Plaintiff engaged in sanctionable self-help discovery or that the documents should be destroyed.
3. The documents identified in Defendants' motion were deemed confidential and could be used only for purposes of the litigation; Plaintiff was required to seek sealed filing and redact confidential, proprietary, or personal data from public filings.
4. Neither side was entitled to attorney fees because the motion was granted in part and denied in part and both parties took an overly litigious approach that generated unnecessary expense.

KEY QUOTATIONS

“The Court starts “with a strong presumption in favor of access to court records.”” (at 3)

“A ‘good cause’ showing under Rule 26(c) will suffice to keep sealed records attached to non-dispositive motions.” (at 4)

“A ‘heading cannot substitute for the operative text of the statute.’” (at 6)

“The mere fact that Plaintiff is in the possession of these e-mails does not automatically render them the product of ‘self-help’ discovery.” (at 7)

FACTUAL BACKGROUND

Plaintiff, an Asian woman, worked for Bureau Veritas in Sacramento as a senior financial analyst beginning in 2015 and was promoted to Assistant Financial Controller in 2019. She alleges that she was underpaid and wrongfully terminated in 2023 as part of race and sex discrimination. During discovery, Plaintiff retained or created charts, emails, and other documents containing salary, demographic, financial, and proprietary information. The parties disputed whether Plaintiff had accessed the documents improperly in anticipation of litigation or had obtained the information through her ordinary employment duties.

PROCEDURAL HISTORY

Plaintiff filed an employment discrimination action in February 2024, and Defendants removed it to the Eastern District of California on diversity grounds in March 2024. During discovery, Defendants sought destruction or restriction of documents Plaintiff retained or created using information obtained during her employment. After briefing, a joint discovery statement, supplemental declarations, and a November 13, 2025 hearing, the court ruled on the motions.

DISPOSITION

other

CASES CITED

- Center for Auto Safety v. Chrysler Group, LLC, 809 F.3d 1092, 1096 (9th Cir. 2016)
- Foltz v. State Farm Mutual Automobile Insurance Co., 331 F.3d 1122, 1135 (9th Cir. 2003)
- United States v. Amodeo, 71 F.3d 1044, 1048 (2d Cir. 1995)
- Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1178-80 (9th Cir. 2006)
- United States v. LKAV, 712 F.3d 436, 442 (9th Cir. 2013)
- Florida Department of Revenue v. Piccadilly Cafeterias, Inc., 554 U.S. 33, 47 (2008)
- Pillsbury, Madison & Sutro v. Schectman, 55 Cal. App. 4th 1279, 1289 (1997)
- Bedwell v. Fish & Richardson, P.C., 2007 WL 4258323, at *3 (S.D. Cal. Dec. 3, 2007)