

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Miholich v. The Real Brokerage, Inc.

Miholich · No. 24-cv-01038-AGS-JLB · Decided June 4, 2025

SUMMARY

The United States District Court for the Southern District of California granted Defendants’ motion to file specified documents under seal pursuant to Local Rule 79.2 and the parties’ protective order. The Court found good cause to seal the documents because they contained confidential business information.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Jill L. Burkhardt
JURISDICTION	United States District Court for the Southern District of California
DECIDED	June 4, 2025
DOCKET	24-cv-01038-AGS-JLB
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to file documents under seal pursuant to Southern District of California Local Rule 79.2 and the parties' protective order.
STANDARD OF REVIEW	The court applied the good-cause standard for sealing the documents.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not stated

TOPICS

- civil procedure
- commercial litigation

PRACTICE AREAS

- civil procedure
- commercial litigation

QUESTIONS PRESENTED

1. Whether defendants established good cause under Local Rule 79.2 and the parties' protective order to file specified documents under seal.

HOLDINGS

1. Defendants established good cause to seal the specified documents because they contained confidential business information, and the motion to seal was therefore granted.

FACTUAL BACKGROUND

Defendants sought to seal a surreply, declarations, and related exhibits submitted in connection with a motion concerning plaintiff's reply brief. The documents contained confidential business information. The court found that defendants had established good cause for sealing.

PROCEDURAL HISTORY

Defendants sought leave to file under seal documents submitted in connection with their motion to strike new arguments in plaintiff's reply brief or, alternatively, for permission to file a surreply. The court granted the motion to seal and directed the Clerk to file the specified unredacted documents under seal.

DISPOSITION

other

CASES CITED

- Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1179 (9th Cir. 2006)

OPINION

Miholich v. The Real Brokerage, Inc.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 11 KYLE MIHOLICH, individually and on Case No.: 24-cv-01038-AGS-JLB behalf of all
others similarly situated, 12

ORDER GRANTING DEFENDANTS'

Plaintiff,

13 MOTION TO FILE DOCUMENTS

v. UNDER SEAL PURSUANT TO

14

LOCAL RULE 79.2 AND THE

THE REAL BROKERAGE, INC., et al.,

15 PARTIES' PROTECTIVE ORDER

Defendants. 16 [ECF No. 43] 17 18 19 Before the Court is Defendants The Real Brokerage, Inc.,
Real Broker LLC, Real 20 Brokerage Technologies, Inc., and Real Brokerage Technologies LFRO,

Inc.'s 21 (collectively, "Defendants") Motion to File Documents Under Seal Pursuant to Local Rule 22 79.2 and the Parties' Protective Order ("Motion to Seal"). (ECF No. 43.) Defendants 23 request leave to file under seal certain documents submitted in connection with its Motion 24 to Strike New Arguments Submitted with Plaintiff's Reply Brief, or, in the Alternative, for 25 Permission to File a Surreply (ECF No. 42). Given the confidential business information 26 included in the documents, the Court finds that Defendant has established good cause for 27 sealing. *Kamakana v. City and Cnty. of Honolulu* , 447 F.3d 1172, 1179 (9th Cir. 2006). 28 1 || Good cause appearing, Defendants' Motion to Seal is GRANTED. Accordingly, the Clerk 2 Court is DIRECTED to file under seal the unredacted versions of the following: 3 1. Defendants' Surreply to Plaintiff's Ex Parte Motion to Amend 4 Scheduling Order (ECF No. 44, Ex. 1); 5 2. Declaration of Nicolle Romero (ECF Nos. 44, 45, Ex. 2); 6 3. Declaration of Garland Brown (ECF No. 46, Ex. 3); 7 4. Declaration of Sharran Srivatsaa (ECF No. 49, Ex. 4); and 8 5. Exhibits A and B of the Declaration of Nicolle Romero (ECF Nos. 47, 48). 9 IT IS SO ORDERED. 10 Dated: June 4, 2025 - n. Jill L. Burkhardt 12 ited States Magistrate Judge 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28