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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
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15 **JANE DOE**, individually and on behalf of all others
similarly situated,

16 *Plaintiff,*

17 v.

18 **YOUTUBE, INC.,**

19 *Defendant.*
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Civil Case No. 4:20-CV-07493-YGR

**PLAINTIFFS' ADMINISTRATIVE
MOTION TO FILE DECLARATION OF
JANE DOE UNDER SEAL**

1 **I. INTRODUCTION**

2 Plaintiff Jane Doe brings this administrative motion pursuant to Civil Local Rules 7-11 and 79-
3 5 to file under seal her identifying information for two reasons. First, Plaintiff Jane Doe is presently
4 employed by a vendor to Defendant and has a good faith fear of potential adverse consequences to her
5 from her employer as a result of her participation as a class member. Second, clients of the Joseph
6 Saveri Law Firm have recently become subject to harassment and threatening conduct as a result of
7 their role as plaintiffs in cases filed by the firm, including cyberstalking. Because the Plaintiff's identity
8 is not tied to the merits of the case in the context of this class action settlement, good cause exists to
9 seal Plaintiff's name. Defendant has agreed to attorneys'-eyes only treatment for the Plaintiff's identity.
10 For these reasons, Plaintiff proposes and Defendant does not object to maintaining the Plaintiff's
11 confidentiality as described herein.

Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing
<p>13 Declaration of Class Representative Jane Doe in 14 Support of Plaintiff's Motion for Attorneys' Fees, 15 Reimbursement of Costs, and Service Awards</p> <p>16 P. 1:1 (Plaintiff's Name)</p> <p>17 P. 2:9-10 (Dates and Location of Plaintiff's 18 Employment)</p> <p>19 P. 4:13-15 (Plaintiff's Name and City and State of 20 Residence)</p>	<p>21 Declaration of Steven N. Williams in 22 Support of Administrative Motion to 23 File Under Seal Declaration of Jane 24 Doe, ¶¶ 2-3</p> <p>25 Declaration of Class Representative 26 Jane Doe in Support of Plaintiff's 27 Motion for Attorneys' Fees, 28 Reimbursement of Costs, and Service Awards, ¶ 6.</p>

21 **II. LEGAL STANDARD**

22 Courts "recognize a general right to inspect and copy public records and documents, including
23 judicial records and documents." *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1096 (9th
24 Cir. 2016) (internal quotation marks omitted). As such, there is "a strong presumption in favor of access
25 to court records." *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). "A party
26 seeking to seal a judicial record then bears the burden of overcoming this strong presumption by
27 meeting the 'compelling reasons' standard." *Kamakana v. City & Cty. of Honolulu*, 447 F.3d
28 1172, 1178 (9th Cir. 2006).

1 But courts have “carved out an exception” for parties seeking to seal documents that are
2 tangentially related, or unrelated, to the merits of a case. *Ctr. for Auto Safety*, 809 F.3d at 1097-99; see
3 *id.* at 1101 (“[P]ublic access will turn on whether the motion is more than tangentially related to the
4 merits of a case.”). Under these circumstances, courts apply the less exacting “good cause” standard.
5 *Id.* at 1097.

6 In addition, Civil Local Rule 79-5(b) requires a party seeking to seal a document have “[t]he
7 request [] be narrowly tailored to seek sealing only of sealable material.”

8 Documents attached to non-dispositive motions, such as a motion to modify the case schedule,
9 “are often unrelated, or only tangentially related, to the underlying cause of action” of a case. *Arista*
10 *Networks, Inc. v. Cisco Sys. Inc.*, No. 16-cv-00923-BLF, 2018 WL 2010622, at *1 (N.D. Cal. Apr. 30,
11 2018) (citing *Kamakana*, 447 F.3d at 1179). Thus, the party seeking to seal must simply meet the lower
12 “good cause” showing of Federal Rule of Civil Procedure 26(c). *Id.*

13 **III. ARGUMENT**

14 Good cause exists to seal the name and identifying information about the Plaintiff. The
15 Plaintiff’s identity is not essential to the settlement of this class action lawsuit. No one has objected to
16 the settlement for any reason, nor has any class member or anyone else raised any demand to know the
17 Plaintiff’s identity. The Plaintiff has identified a good faith basis for her to fear retaliatory action should
18 her present employer learn her identity. Further, and unfortunately, some clients of Plaintiff’s law firm
19 have recently become subject to threatening behavior, including cyberstalking, as a result of cases filed
20 by Plaintiff’s law firm. This provides an additional basis to support sealing of the Plaintiff’s name and
21 identifying information. This information is tangential to the merits of the case.

22 Defendant does not object to the relief sought herein.

23 **IV. CONCLUSION**

24 For the foregoing reasons, the Plaintiff respectfully request that the Court grant this
25 administrative motion to file under seal.
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1 Dated: May 8, 2023

Respectfully Submitted,

2 JOSEPH SAVERI LAW FIRM, LLP

3 By: /s/ Steven N. Williams
4 Steven N. Williams

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Counsel for Plaintiff and the Proposed Class

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on May 8, 2023. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Steven N. Williams
Steven N. Williams

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