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**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

CAT BROOKS and RASHEED SHABAZZ,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

THOMSON REUTERS CORPORATION,

Defendant.

Case No. 3:21-cv-01418-EMC-KAW

**PLAINTIFFS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL**

Judge: Hon. Edward M. Chen

1 Plaintiffs move pursuant to Civil Local Rules 7-11 and 79-5(c) to seal narrow
 2 portions of (1) an exhibit to the Declaration of Andre Mura and Geoffrey Graber in Support
 3 of Plaintiffs' Motion for Final Approval ("Co-Lead Counsel Decl."); and (2) the Declaration
 4 of Steven Weisbrot in Support of Plaintiffs' Motion for Final Approval ("Weisbrot Decl.");
 5 because they include proprietary details about settlement administrator Angeion Group's
 6 fraud detection and prevention efforts, or a class member's name and email address.

7 As required by Civil Local Rules 79-5(c) and 7-11(a), Plaintiffs simultaneously
 8 submit (1) the declaration of Andre M. Mura in support of Plaintiffs' Administrative
 9 Motion to File Under Seal ("Mura Decl."); (2) an unredacted version of the supporting
 10 declarations (and exhibits thereto), highlighted to indicate the proposed redactions; and (3)
 11 a proposed order identifying the portions to be sealed.

12 I. LEGAL STANDARD

13 There is a "strong presumption in favor of access" to court records, but "access to
 14 judicial records is not absolute." *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178
 15 (9th Cir. 2006) (citation omitted). The legal standard applicable to whether a document
 16 should be sealed depends on whether the document is attached to a dispositive motion or a
 17 non-dispositive motion. *See id.* at 1179-80. Documents attached to dispositive motions may
 18 be sealed only when the proponent establishes "compelling reasons" for doing so. *Id.* at
 19 1179. Documents attached to non-dispositive motions that relate to the merits only
 20 tangentially may be sealed upon a lesser showing of good cause. *Id.* at 1180. Motions to file
 21 under seal connected to approval of class action settlements are subject to the "compelling
 22 reasons" standard. *Thomas v. MagnaChip Semiconductor Corp.*, No. 14-CV-01160-JST, 2017
 23 WL 4750628, at *4 (N.D. Cal. Oct. 20, 2017); *In re Yahoo! Inc. Sec. Litig.*, No. 17-CV-00373-
 24 LHK, 2018 WL 11349976, at *2 (N.D. Cal. May 9, 2018).

25 What reasons are sufficiently compelling to justify sealing documents is generally
 26 "left to the sound discretion of the trial court." *Ctr. For Auto Safety v. Chrysler Grp., LLC*, 809
 27 F.3d 1092, 1097 (9th Cir. 2016). Commonly accepted examples of sealable materials,
 28 however, are "business information that might harm a litigant's competitive standing,"

1 *Nixon v. Warner Commc'ns, Inc.*, 435 U.S.589, 598 (1978), and fraud prevention and detection
 2 procedures. *In re Bank of Am. California Unemployment Benefits Litig.*, No. 21MD2992-
 3 GPC(MSB), 2024 WL 4820704, at *4 (S.D. Cal. Nov. 12, 2024). Courts also permit the
 4 redaction of “the name[s] of the class member[s] . . . to protect th[ose] individual[s’] privacy
 5 interests[.]” *O’Connor v. Uber Techs., Inc.*, No. 13-CV-03826-EMC, 2017 WL 6504064, at *2
 6 (N.D. Cal. Sept. 6, 2017) (Chen, J.), along with identifying contact information such as an
 7 email address. *E.g., Fraley ex rel. Duval v. Facebook, Inc.*, No. CV-11-01726 RS, 2012 WL
 8 6013427, at *3 (N.D. Cal. Dec. 3, 2012). The information that Plaintiffs seek to seal here falls
 9 into these categories.

10 **II. ARGUMENT**

11 Plaintiffs seek to file under seal only (1) the name and email address of a class
 12 member who reached out to Class Counsel asking to address the court; and (2) proprietary
 13 information about Angeion’s fraud detection and prevention methods. There are
 14 compelling reasons to seal the identifying information (including the name and email
 15 address) of a class member seeking assistance with filing a claim, so as to protect the
 16 privacy of that class member. *O’Connor*, 2017 WL 6504064, at *2 (Chen, J.) (sealing the name
 17 of a class member); *Fraley*, 2012 WL 6013427, at *3 (sealing the email address of class
 18 members). And there are compelling reasons to seal Angeion’s proprietary fraud
 19 prevention processes, in order to prevent and combat future fraud. *In re Bank of Am.*, 2024
 20 WL 4820704, at *4 (“[I]nternal investigative processes and procedures in addressing fraud
 21 constitute compelling reasons that support sealing those documents in order to prevent
 22 and combat future fraud.”).

23 Plaintiffs here have narrowly tailored this request to seal only the specific
 24 proprietary information that is competitively sensitive and designed to prevent fraud, and
 25 personal identifying information of a class member.

26 **III. CONCLUSION**

27 For the reasons discussed above and in the supporting Declaration, Plaintiffs
 28 respectfully ask the Court to issue an order sealing the designated materials.

DATED: January 9, 2025

Respectfully submitted,

/s/ Andre M. Mura

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