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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE BANK OF AMERICA
CALIFORNIA UNEMPLOYMENT
BENEFITS LITIGATION

Case No. 3:21-md-02992-GPC-MSB

MOTION TO FILE DOCUMENTS
UNDER SEAL

This Document Relates to All Actions

Judge: Hon. Gonzalo P. Curiel

MOTION TO FILE DOCUMENTS UNDER SEAL

Pursuant to Local Rule 79.2 and Section 12.5 of the Stipulated Protective Order (ECF 82) in this case and the Court’s Civil Pretrial & Trial Procedures, Plaintiffs move to file under seal (1) portions of Plaintiffs’ Memorandum of Points and Authorities in Support of Plaintiffs’ Objections to and Motion to Reverse in Part Magistrate Judge’s April 24, 2024 Discovery Order that reference material designated by Defendant Bank of America as “Confidential” pursuant to the Protective Order; (2) portions of the Supplemental Declaration of Connie K. Chan in support of Plaintiffs’ Objections and Motion that reference material designated by Defendant as “Confidential,” including the Index of Exhibits and Exhibits 24-36.

Plaintiffs have tailored their request to seal only such information that the Bank has designated as confidential pursuant to the Protective Order. However, Plaintiffs dispute the Bank’s confidentiality designations and do not believe there is sufficient “good cause” to file these documents under seal and to overcome the “strong presumption in favor of access” to court documents. *See Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178, 1180, 1185-87 (9th Cir. 2006); Civil Pretrial & Trial Procedures at 4-5. Plaintiffs have initiated the meet and confer process for challenging the Bank’s designations under the Protective Order, but because that process has not yet been completed, Plaintiffs are filing this sealing motion in accordance with the Protective Order and the Local Rules.

Dated: May 8, 2024

COTCHETT, PITRE & McCARTHY, LLP

By: /s/ Brian Danitz

JOSEPH W. COTCHETT

BRIAN DANITZ

KARIN B. SWOPE

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Dated: May 8, 2024

ALTSHULER BERZON LLP

By: /s/ Connie K. Chan

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Proposed Class*