

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IO GROUP, INC., et al.,
Plaintiff,
v.
GLBT, LTD., et al.,
Defendants.

No. C-10-1282 MMC

**ORDER DENYING PLAINTIFFS’
ADMINISTRATIVE MOTION TO FILE
DOCUMENTS UNDER SEAL;
DIRECTIONS TO CLERK**

Before the Court is plaintiffs’ Administrative Motion to File Documents Under Seal, filed October 26, 2012, by which motion plaintiffs seek leave to file under seal four exhibits, offered in support of plaintiffs’ motion for summary judgment and for default judgment.

Having read and considered the administrative motion, the Court hereby rules as follows.

Plaintiffs assert the above-referenced four exhibits are confidential in nature, and, consequently, should be filed under seal. Plaintiffs further state they have not served defendants with a copy of the four exhibits because the parties to the above-titled action have not agreed on the terms of a protective order. Plaintiffs cite no authority, however, suggesting that the Court can award judgment against a defendant based on evidence to which the defendant has not had an opportunity to respond.


By order filed concurrently herewith, the Court has granted plaintiffs’ motion for summary judgment and for default judgment. In so doing, the Court did not find it

1 necessary to consider the four exhibits that are the subject of the instant administrative
2 motion.

3 Accordingly, the motion to seal is hereby DENIED. With respect to the copy of the
4 exhibits delivered to chambers, the Clerk is hereby DIRECTED to follow the procedure set
5 forth in Civil Local Rule 79-5(e).

6 **IT IS SO ORDERED.**

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8 Dated: November 27, 2012


MAXINE M. CHESNEY
United States District Judge

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