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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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9 Manuel de Jesus Ortega Melendres, on
10 behalf of himself and all others similarly
situated; et al.

11 Plaintiffs,

12 and

13 United States of America,

14 Plaintiff-Intervenor,

15 v.

16 Joseph M. Arpaio, in his official capacity as
17 Sheriff of Maricopa County, Arizona; et al.

18 Defendants.

No. CV-07-2513-PHX-GMS

ORDER

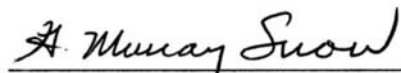
19 On November 5, 2015, the Court held a hearing with the Parties, and pursuant to
20 discussions at the hearing,

21 **IT IS HEREBY ORDERED** that Mr. Popolizio will confirm that the
22 investigation discussed in Exhibit 2799 is still ongoing. Assuming that it is, the parties
23 are ordered to stipulate to redactions or to bring them before the Court. The redactions
24 should protect the law enforcement privilege and the privacy of individuals, but the date,
25 the addresser and addressee, and the handwritten notes on the side and on the top, at a
26 minimum, will not be redacted. Mr. Poplizio is further ordered to inform the Court if the
27 investigation closes at a future date, such that the redactions are no longer necessary.

28 **IT IS FURTHER ORDERED** that Defense counsel has not met its burden of

1 establishing compelling reasons for the sealing or redaction of Exhibits 2842, 2843, or
2 2894, as counsel failed to point to any specific information that is subject to any privilege
3 and is not already available to the public. “To limit [the] common law right of access, a
4 party seeking to seal judicial records must show that ‘compelling reasons supported by
5 specific factual findings . . . outweigh the general history of access and the public policies
6 favoring disclosure.’” *Pintos v. Pac. Creditors Ass’n*, 605 F.3d 665, 678 (9th Cir. 2010)
7 (quoting *Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006)).
8 “After taking all relevant factors into consideration, the district court must base its
9 decision on a compelling reason and articulate the factual basis for its ruling, without
10 relying on hypothesis or conjecture.” *Hagestad v. Tragesser*, 49 F.3d 1430, 1434 (9th
11 Cir. 1995). Here, the Court has reviewed the documents in question and identified no
12 sensitive information that is not already accessible to the public, and counsel indicated
13 that he was unable to point to any such information at this time. In the absence of any
14 basis to seal, the public policies favoring disclosure prevail.

15 Dated this 5th day of November, 2015.

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19 G. Murray Snow
20 United States District Judge
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