

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**IN RE SONY PS3 “OTHER OS” LITIGATION**

Case No. 10-cv-01811-YGR

**ORDER DENYING ADMINISTRATIVE  
MOTIONS TO REMOVE “INCORRECTLY  
FILED DOCUMENTS”**

**DKT. NO. 292, 296**

On January 18, 2017, Defendant Sony Computer Entertainment America LLC (“Sony”) filed an administrative motion to remove an “incorrectly filed” document (Dkt. Nos. 292), seeking to remove from the ECF docket in this matter the document Sony originally filed at Docket No. 288, Sony’s response to certain objections to the Motion for Final Approval of Class Action Settlement. On January 19, 2017, Plaintiffs filed an administrative motion (Dkt. No. 296) to remove “incorrectly filed” documents at Docket Nos. 286 and 286-1. Sony’s motion indicated that the document it wanted removed from the Court’s electronic docket “contained an incorrect draft of footnotes 2 and 3.” (Dkt. No. 292 at 2.) Similarly, Plaintiffs’ motion sought to remove permanently from the docket a response and declaration which “contained a draft of [seven lines] that require clarification.”

Both parties only sought to do so after an objector requested an opportunity to respond to what he saw as errors in the parties’ responses to his objection.<sup>1</sup> Both parties cited Local Rule 7-11 and ECF “rules” regarding “Correcting E-Filing Mistakes.” Both parties filed corrected versions or errata at the same time they filed their motions to remove the prior versions.

The administrative motions to remove these documents are **DENIED**.

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<sup>1</sup> See Dkt. No. 289, filed January 17, 2017, and corrected version at Dkt. No. 290, filed January 18, 2017.

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Local Rule 7-11 deals only with the procedural rules for administrative relief. It makes no mention of removal of documents from the Court’s docket. The ECF guidance on the Court’s website states specifically that, if a party seeks to file a corrected version, the party should simply file that corrected version on the docket and note that it is a correction of the previously filed document. It specifically limits the circumstances under which a motion to remove a document is appropriate, as follows:

If—and only if—your e-filing mistake involves the unintended disclosure of confidential information, you may file a motion to remove a sensitive e-filed document. The Court views removing an e-filed document as a drastic measure or last resort reserved for documents whose contents are **confidential**. If confidential information is not involved, simply e-file a corrected version.

See <https://cand.uscourts.gov/ecf/correctingmistake> (emphasis in original).

A request to remove a document because it needed correction or editing is plainly inappropriate. The parties do not identify any confidential information that was included in the documents they want removed, nor does any appear.

A motion seeking to remove such documents from the Court’s website is contrary to the Court’s policy of providing the public full access to documents filed with the Court to the greatest extent possible, as well as a waste of judicial resources. Counsel are cautioned against making similar motions in the future.

**IT IS SO ORDERED.**

This terminates Docket Nos. 292 and 296.

Dated: January 31, 2017



YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT JUDGE