

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

United States District Court  
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALTER LIEW, CHRISTINA LIEW, USA  
PERFORMANCE TECHNOLOGY, INC., and  
ROBERT MAEGERLE,

Defendants.

No. CR 11-00573-1 JSW  
No. CR 11-00573-2 JSW  
No. CR 11-00573-3 JSW  
No. CR 11-00573-4 JSW

**ORDER RE MOTION TO SEAL**

On May 2, 2013, Defendants, Walter Liew, Christina Liew, USA Performance Technology, Inc., and Robert Maegerle (“Moving Defendants”) filed a motion to seal exhibits to their joint motion for a bill of particulars. Pursuant to Northern District Criminal Local Rule 55-1(b), “[e]xcept for Northern District Civil Local Rule 79-5(e), all other provisions of Civil L.R. 79-5 apply to the filing of documents under seal in criminal cases.” The mere fact that the Government has designated documents as confidential does not establish that they should be sealed. *See* N.D. Civ. L.R. 79-5(a). Under Local Rule 79-5(d), the Government has until May 9, 2013, to file a declaration establishing that the designated materials are sealable. If the Court does not receive a declaration from the Government by that time, pursuant to Local Rule 79-5(d), “the document or proposed filing will be made part of the public record.”

**IT IS SO ORDERED.**

Dated: May 7, 2013

  
\_\_\_\_\_  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE