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FILED
Superior Court of California
County of San Francisco

JAN 07 2025

CLERK OF THE COURT
BY: *Deputy Clerk*
Deputy Clerk

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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF SAN FRANCISCO**

11 JOHN DOE, an individual,
12
13 Plaintiff,
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15 v.
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17 SUBSTACK, INC., a Delaware
Corporation; AMAZON WEB SERVICES,
18 INC., a Delaware Corporation; JACK
POULSON, an individual; TECH
INQUIRY, INC., a Delaware corporation;
DOES 1-25, inclusive,
19 Defendants.

Case No.: CGC-24-618681

~~JHO~~
~~[PROPOSED]~~ ORDER GRANTING
POULSON'S MOTION TO PARTIALLY
SEAL RECORD

DATE: January 6, 2025
TIME: 9:30 a.m.
DEPT: 301

Judge: Hon. Joseph M. Quinn
Action Filed: October 3, 2024
Trial Date:

1 Having considered the arguments of the parties, the Court finds, as follows:

2 Defendant Poulson's motion to seal pursuant to CRC 2.550 is GRANTED. Poulson seeks to seal
3 references to the identity of the complaining witness in a Police Incident Report.

4 The Court may order a document to be sealed, in whole or in part, "only if it expressly finds facts
5 that establish (1) There exists an overriding that overcomes the right of public access to the record; (2)
6 The overriding interest supports sealing the record; (3) A substantial probability exists that the interest
7 will be prejudiced if the record is not sealed; (4) The proposed sealing order is narrowly tailored; and (5)
8 No less restrictive means exist to achieve the overriding interest." (Cal. Rule of Court 2.550(d).) Courts
9 have recognized the interests in protecting victims and witnesses from public disclosure, especially in
10 cases like domestic violence where such persons are typically disincentivized from making reports and/or
11 cooperating with investigators, police officers or prosecutors. (*See People v. Jackson*, 110 Cal. App. 4th
12 280, 289-90 (2003).)

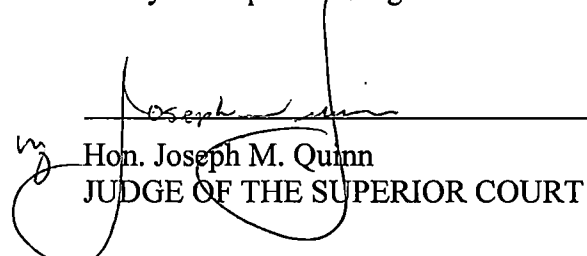
13 Here, the record supports a finding that the interest in protecting the identity of the complaining
14 witness substantially overrides the public's interest in disclosure. The complaining witness did not bring
15 any attention on themselves (the incident was reported by a third party), they seek no relief in this
16 proceeding and they have never held themselves out as a public figure with respect to this incident or
17 otherwise. They are part of this case only because they were the victim an incident reported by another.
18 The complaining witness's overriding interest in privacy supports sealing information that would
19 otherwise make public their identity. The incident type is one in which complaining witness anonymity is
20 generally respected. To date, the complaining witness's identity has not been reported in the media or
21 otherwise publicly disclosed.

22 A substantial probability exists that privacy interest of the complaining witness will be prejudiced
23 if their identifying information is not redacted from the public court filing. As noted above, Plaintiff's
24 lawsuit has drawn significant media attention but, unlike Plaintiff, the identity of the complaining witness
25 has not yet been publicly reported. The sealing request is narrowly tailored to maintain the complaining
26 witness's identity, while not substantially prejudicing the public's right of access.

1 Exhibit F to the Declaration of Jack Poulson in Support of Jack Poulson's Special Motion to Strike
2 shall be partially sealed and filed in redacted form. The redacted version of Exhibit F that will be included
3 in the court's public file will be identical to Exhibit G of the same declaration and which has been lodged
4 with this Court.

5 The parties are ordered to meet and confer in person or by videoconference before filing any
6 papers in which sealing may be at issue. The parties must make a good faith effort to coordinate and
7 organize their filings and sealing motions sensibly. Four sealing motions at this time is
8 demonstrably not sensible. At least two of these motions could have been avoided by meet and confer.
9 Additionally, the filings would be in better shape if meet and confer had occurred. The parties must file
10 declarations regarding their meet and confer with any subsequent sealing motion. ✓

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12 DATED: Jan 7, 2025


13 Hon. Joseph M. Quinn
14 JUDGE OF THE SUPERIOR COURT
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