

Superior Court of the State of California  
County of Orange  
TENTATIVE RULINGS FOR DEPARTMENT CM05  
**HON. Judge Ebrahim Baytieh**

**Date: 04/11/2025**

Court Room Rules and Notices

#	Case Name	Tentative
1	Zeigler - Trust (01059752)	<p style="text-align: center;"><b>MOTION TO SEAL</b></p> <p>Petitioner Linda Zeigler's motion to seal is <b>DENIED</b>.</p> <p>The motion fails to comply with Code of Civil Procedure section 1010 and California Rules of Court, Rule 3.1110(a) in that it fails to give notice of the nature of the order sought and the grounds for the issuance of the order. It further fails to comply with California Rules of Court, Rules 3.1112, 3.1113 and 3.1115. There is no notice of motion, points of authorities, declaration, or any law cited.</p> <p>The entirety of the body of the motion states as follows:</p> <p>To whom it may concern, I Linda Zeigler have been under Recent Medical Diagnostic for Health Issues that are necessitating more serious immediate Care Now. The Healthcare Ethics Justify explicitly to the concept of distributive justice. The Principle asserts that all persons (patients) should be treated equitably. It implies treating all patients the same (offering a uniform standard of care). Excuses are Considered for: Family Emergencies, Illness, a Surgery, a Work Commitment that cannot be rescheduled by one's employer. On such grounds a Health Emergency is considered for these occasions. The Violations of Rules are clear in a Bad Faith or Misconduct by an Attorney forcing a Deposition during this time. Once the Patients Health has been resumed, all Relevant Depositions can be sought. This is asking for a Protective Order for the Petitioner to complete her Medical Attention until cleared by her Doctors.</p> <p>Please see the Redacted Copies:</p> <p>If you should have any questions, please call Linda Zeigler at [handwritten phone number and date].</p>

	<p>Based on such content, it is unclear whether Ms. Zeigler is seeking to seal records or seeking a protective order with regard to scheduling her deposition in light of medical issues.</p> <p>Further, it is unclear what records Ms. Zeigler is requesting the court to seal. The only difference between the redacted copy and the unredacted copy is that a small, square-shaped portion of what appears to be an x-ray of a spine is redacted. The letters from the doctors are not redacted.</p> <p>To the extent Ms. Zeigler seeks to seal the letters from the doctors, the motion is <b>denied</b>. The right to move for an order to seal documents is waived if the moving party has already filed the documents with the court. The court cannot seal documents that are already a matter of public record. (See <i>Savaglio v. Wal-Mart Stores, Inc.</i> (2007) 149 Cal.App.4th 588, 601.)</p> <p>To the extent Ms. Zeigler seeks to seal only the small portion of an x-ray, the motion is also <b>denied</b>.</p> <p>Unless confidentiality is required by statute or rule of court, California court records are presumed to be open to the public. (CRC, Rule 2.550(c).) Records may be sealed only if the court expressly finds facts that establish:</p> <p>“(1) There exists an overriding interest that overcomes the right of public access to the record; (2) The overriding interest supports sealing the record; (3) A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed; (4) The proposed sealing is narrowly tailored; and (5) No less restrictive means exist to achieve the overriding interest.”</p> <p>(Cal. Rules of Court, rule 2.550(d).) The party seeking to seal the documents has the burden of proving such facts. (See <i>H.B. Fuller Company v. Doe</i> (2007) 151 Cal.App.4th 879, 894-895.)</p> <p>“A party requesting that a record be filed under seal must file a motion or an application for an order sealing the record. The motion or application <b><i>must be accompanied by a memorandum and a declaration containing facts sufficient to justify the sealing.</i></b>” (Cal. Rules of Court, rule 2.551(b)(1), emphasis added.)</p>
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		<p>The motion before the court is not accompanied by a memorandum or a declaration.</p> <p>Specifically, what is attached to the motion is what appears to be a printout of “IMG_1276.jpg” from a Gmail account. The printout is a photograph of a cell phone that is displaying the image of what appears to be an x-ray of a spine. Also pictured is what appears to be a pencil pointing to the redacted area of the image on the cell phone.</p> <p>There is no foundation laid as to the Gmail printout, the cell phone, or the image depicted on the cell phone. Thus, there is no admissible evidence before the court to establish that there exists an overriding interest that warrants an order to seal.</p> <p>The motion is <b>DENIED</b>.</p> <p>Ms. Zeigler is ordered to provide notice.</p>
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