

1 KATIE TOWNSEND (SBN 254321)
2 ktownsend@rcfp.org
3 THE REPORTERS COMMITTEE FOR
4 FREEDOM OF THE PRESS
5 1156 15th Street NW, Suite 1250
6 Washington, D.C. 20005
7 Telephone: 202.795.9300
8 Facsimile: 202.795.9310

9 *Counsel for Non-Party Intervenor*
10 JESSICA PISHKO

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA
13 WESTERN DIVISION

14 REGGIE D. COLE,
15 Plaintiff,

16 v.

17 CITY OF LOS ANGELES et al.,
18 Defendants.

Case No. 11-CV-03241-CBM (AJWx)
Case No. 12-CV-01332-CBM (AJWx)
Case No. 13-CV-07244-CBM (AJWx)

**NOTICE OF MOTION AND
MOTION OF NON-PARTY
JOURNALIST JESSICA PISHKO
TO INTERVENE AND UNSEAL**

[Memorandum of Points and Authorities
and [Proposed] Order Filed
Concurrently Herewith]

20 OBIE S. ANTHONY, III,
21 Plaintiff,

22 v.

23 CITY OF LOS ANGELES et al.,
24 Defendants.

Date: January 26, 2016

Time: 10:00 a.m.

Judge: Hon. Consuelo B. Marshall

Courtroom: 2

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OBIE S. ANTHONY, III,

Plaintiff,

v.
COUNTY OF LOS ANGELES, et al.,

Defendants.

1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE** that on January 26, 2016, or as soon as this matter
3 may be heard before the Honorable Consuelo B. Marshall, United States District
4 Court Judge, in Courtroom 2 of the United States District Court, Central District of
5 California, Western Division, non-party Jessica Pishko, will and hereby does move
6 to intervene in the above-captioned action for the limited purpose of seeking an order
7 unsealing Exhibits 141, 214, and 215 filed in support of ECF No. 119, Plaintiffs'
8 Separate Statement of Genuine Issues and Material Facts in Opposition to
9 Defendants' Motion for Summary Judgment, in the matter of *Reggie D. Cole v. City*
10 *of Los Angeles, et al.*, Case No. 11-CV-03241-CBM (AJWx) (the "*Cole Matter*").
11 Pishko will and hereby does respectfully move the Court for an order granting her
12 motion to intervene and directing the Clerk of the Court to immediately unseal those
13 exhibits, which were entered on the Court's electronic docket in the *Cole Matter* on
14 December 31, 2014 as ECF No. 141.
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19 This Motion is made on the grounds that:

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21 (1) As a member of the press and the public, Pishko may intervene in the
22 above-captioned actions for the limited purpose of seeking an order unsealing
23 Plaintiffs' Exhibits 141, 214, and 215.
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25 (2) Pishko has a First Amendment right to access Plaintiffs' Exhibits 141, 214,
26 and 215, which are judicial records filed in connection with a dispositive motion, and
27 said constitutional right is not overcome.
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1 (3) Pishko has a common law right to access Plaintiffs' Exhibits 141, 214, and
2 215, which are judicial records filed in connection with a dispositive motion, and said
3 common law right is not overcome.
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5 (4) To the extent Pishko's constitutional and common law rights of access
6 must give way with respect to some portion of Plaintiffs' Exhibits 141, 214, and 215
7 in order to serve a compelling, overriding interest, sealing of those records must be no
8 broader than necessary to serve the overriding interest identified by the Court, and
9 must be supported by adequate written findings that justify any redactions and/or
10 sealing.
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13 This Notice of Motion and Motion are based on the concurrently filed
14 Memorandum of Points and Authorities, all pleadings, records, and files in the
15 above-captioned cases, all matters of which the Court shall take judicial notice, and
16 on such argument as may be presented by counsel at any hearing on this Motion.
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18 This Motion is made following conferences of counsel, pursuant to L.R. 7-3,
19 which occurred telephonically and via email on December 17 and December 18,
20 2015, and additional communication between the undersigned counsel for Pishko and
21 counsel for Defendants County of Los Angeles and Los Angeles County District
22 Attorney's Office on December 22, 2015.
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1 Dated: December 28, 2015

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s/Katie Townsend
Katie Townsend
THE REPORTERS
COMMITTEE FOR FREEDOM
OF THE PRESS

Counsel for Non-Party Intervenor
JESSICA PISHKO