UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

CALAMCO, Plaintiff, v. J.R. Simplot Company, et al., Defendants. And related counterclaims.	No. 2:21-cv-01201-KJM-CSK ORDER

Plaintiff Calamco previously sought summary judgment of defendant J.R. Simplot Company's counterclaims. ECF No. 142. In connection with Calamco's reply in further support of that motion, it filed an excerpt of the deposition of Gregory Swanson. *See* Eldredge Decl. Ex. 126, ECF No. 153. Simplot had designated that deposition highly confidential under the terms of the discovery-only protective order, so Calamco asked the court to file the deposition excerpts under seal. *See* Not. Request Seal., ECF No. 154.

The court granted in part and denied in part Calamco's summary judgment motion in a written order. ECF No. 164. The court did not identify any material facts within the deposition excerpts above and did not address the request to file those excerpts under seal. At the final

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pretrial conference in this matter, the court asked the parties whether the request to file under seal could thus be denied as moot. *See* Mins., ECF No. 181. Simplot requested leave to review the record and file a further response. It has now done so. ECF No. 184.

Having reviewed the record and the response at ECF No. 184, the court finds its order on the motion for summary judgment eliminates any need to file the deposition excerpts above, whether on the public docket or under seal, and therefore moots the request at ECF No. 154. That request is thus **denied as moot**.

IT IS SO ORDERED.

DATED: October 28, 2025.

UNITED STATES DISTRICT JUDGE