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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 DOE,

13 Plaintiff,

14 v.

15 CHARLES CARREON,

16 Defendant.
17

Case No. 12-cv-03435 NC

**ORDER TO FILE MOTION TO PROCEED
ANONYMOUSLY**

18 Plaintiff filed a complaint for declaratory relief under the pseudonym “Doe.” Compl.,
19 Dkt. No. 1. In the complaint, plaintiff seeks leave to proceed anonymously “to protect her First
20 Amendment right to speak anonymously,” but she provides no additional information or authority
21 in support of her request. *Id.* ¶ 5.

22 Absent special circumstances, a party may not proceed anonymously because the “use of
23 fictitious names runs afoul of the public’s common law right of access to judicial proceedings . . .
24 and Rule 10(a)’s command that the title of every complaint include the names of all the parties.”
25 *Does I thru XXIII v. Advanced Textile Corp.*, 214 F.3d 1058, 1067 (9th Cir. 2000) (citations and
26 internal quotation marks omitted). “[A] party may preserve his or her anonymity in judicial
27 proceedings in special circumstances when the party’s need for anonymity outweighs prejudice to
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1 the opposing party and the public's interest in knowing the party's identity." *Id.* at 1068.

2 Accordingly, by August 2, 2012, plaintiff must file a motion to proceed under a
3 pseudonym that shows why the plaintiff's need to proceed anonymously outweighs the prejudice
4 to defendant Carreon and the public's interest in knowing plaintiff's identity. Carreon may file an
5 opposition by August 16, 2012. Plaintiff may file a reply by August 23, 2012. After briefing is
6 completed, the court may schedule a hearing on the motion if such a hearing is necessary.

7 IT IS SO ORDERED.

8 Date: July 19, 2012



Nathanael M. Cousins
United States Magistrate Judge