

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

PRIVACY MATTERS, a voluntary
unincorporated association; and
PARENT A, president of Privacy
Matters,

Plaintiffs,

vs.

**UNITED STATES DEPARTMENT
OF EDUCATION; JOHN B. KING,
JR.**, in his official capacity as United
States Secretary of Education; **UNITED
STATES DEPARTMENT OF
JUSTICE; LORETTA E. LYNCH**, in
her official capacity as United States
Attorney General, and **INDEPENDENT
SCHOOL DISTRICT NUMBER 706,
STATE OF MINNESOTA**,

Defendants,

Jane Doe, by and through her mother,
Sarah Doe,

Proposed Intervenor-
Defendant.

Case No. 0:16-CV-03015-WMW-LIB

**INTERVENOR'S MOTION TO FILE
DOCUMENTS UNDER SEAL**

Proposed Intervenor-Defendant Jane Doe, by and through her mother and legal guardian, Sarah Doe, submits this motion to file documents under seal pursuant to Fed. R. Civ. P. 5.2(a) and (f), and Parts III and IX.D of the D. Minn. CM/ECF Civil Procedure Guide. Jane Doe respectfully seeks the Court's permission to file under seal unredacted

copies of the accompanying Declarations of Jane Doe and Sarah Doe in Support of Motion to Intervene (the “Declarations”).¹

Under Fed. R. Civ. P. 5.2(f), “[a] person making a redacted filing may also file an unredacted copy under seal.” Under CM/ECF Civil Procedure Guide IX.D, documents “must not be filed under seal unless the assigned District or Magistrate Judge has first issued a protective order or an order granting a motion to seal document.”

The unredacted Declarations contain Jane and Sarah Doe’s non-pseudonymous signatures, as well as two photographs of Jane. Because Jane is a minor, and given the small Virginia High School community of which she is a part, the public filing of her signature, her mother’s signature, and/or photographs of Jane, would result in Jane being easily identified in public court filings. Such identifying information of a minor is required to be filed in redacted form pursuant to Fed. R. Civ. P. 5.2(a) (party or non-party making a filing that includes “the name of an individual known to be a minor” must be redacted and may only include the minor’s initials²). Redaction of information that could reveal Jane’s identity is especially appropriate in a case like this one, which involves highly sensitive issues regarding a minor’s gender identity.

Accordingly, Intervenor Jane Doe, by and through her mother, Sarah Doe, respectfully requests that this Court enter an Order granting the Motion to File Documents under Seal.

¹ Copies of the unsealed Declarations will be provided directly to the Court along with an accompanying Affidavit pursuant to Part IX.D.6 of the CM/ECF Civil Procedure Guide.

² Counsel for intervenor has used the pseudonyms Jane and Sarah Doe, rather than their initials, in the publicly filed pleadings submitted to this Court, since the use of Jane and Sarah’s initials would very likely result in the public identification of a minor in this case.

Dated: October 12, 2016

s/Brian W. Thomson

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