

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff)	
)	
RACHEL TUDOR,)	
)	
Plaintiff-Intervenor)	
v.)	CASE NO. 5:15-cv-00324-C
)	
SOUTHEASTERN OKLAHOMA)	
STATE UNIVERSITY, and)	
)	
THE REGIONAL UNIVERSITY)	
SYSTEM OF OKLAHOMA)	
)	
Defendants.)	

UNOPPOSED MOTION FOR LEAVE TO FILE EX PARTE AND UNDER SEAL

Plaintiff United States of America (“United States”) respectfully moves this Court for leave to file the following documents ex parte with the Court, and under seal: (1) the United States’ Opposition to Defendants’ Motion for a Protective Order, due Wednesday, September 20, 2017 and (2) exhibits to the Opposition. Plaintiff-Intervenor and Defendants, through counsel, have indicated that they do not oppose this Motion for Leave. For the following reasons, this Motion should be granted.

1. On August 30, 2017, Defendants moved for a Protective Order in this case to prevent dissemination of information about the settlement between the United States and Defendants to the media. ECF No. 156.

2. On August 31, 2017, Defendants moved for a Temporary Restraining Order to prevent dissemination of information about the settlement between the United States and Defendants to the media. ECF No. 157.

3. On August 31, 2017, this Court granted Defendants' Motion for a Temporary Restraining Order. ECF No. 158. The Order dictates that no party, or their attorney, may make a statement about the Agreement to any media organization, nor may they indirectly make such a statement. *Id.*

4. In responding to Plaintiff-Intervenor's Motion for Clarification of the TRO, the Court indicated that filing under seal was an option to avoid further dissemination of the settlement terms. ECF No. 162 at 2.

5. In responding to Defendants' Motion for a Protective Order, the United States must reference specific terms of the Settlement Agreement in the brief itself and attach the Agreement, as an exhibit, to the United States' brief.

6. However, filing the document under seal through the Court's ECF system would result in attorneys entered on the case aside from those covered by the Temporary Restraining Order (including an attorney from the Equal Employment Opportunity Commission) having access to the filing, including the Settlement Agreement.

7. In order to avoid disseminating the United States' brief and the Settlement Agreement beyond the parties who have already been provided copies of the Agreement and who are covered by the Court's Temporary Restraining Order, the

United States requests leave to file the documents ex parte and then serve them through non-ECF means on Defendants and Plaintiff-Intervenor.

For the foregoing reasons, the United States respectfully requests that the Court grant this Motion.

Date: September 18, 2017

GREGORY B. FRIEL
Deputy Assistant Attorney General
Civil Rights Division

DELORA L. KENNEBREW
Chief
Employment Litigation Section

MEREDITH L. BURRELL (MD, no number issued)
Deputy Chief
Employment Litigation Section

/s/ Shayna Bloom

ALLAN K. TOWNSEND (ME Bar No. 9347)

SHAYNA BLOOM (D.C. Bar 498105)

VALERIE MEYER (AZ Bar No. 023737)

Senior Trial Attorneys

Employment Litigation Section

Civil Rights Division

United States Department of Justice

950 Pennsylvania Avenue, NW

Patrick Henry Building, Fourth Floor

Washington, DC 20530

Telephone: (202) 616-9100

Facsimile: (202) 514-1005

Allan.Townsend@usdoj.gov

Shayna.Bloom@usdoj.gov

Valerie.Meyer@usdoj.gov

Attorneys for Plaintiff United States

CERTIFICATE OF SERVICE

I certify that I served this document on all counsel of record through the Court's electronic filing system on the date below.

Date: September 18, 2017 /s/ Shayna Bloom