

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
and)	
)	
DR. RACHEL TUDOR,)	
)	
Plaintiff/Intervenor,)	
)	
v.)	Case No. 5:15-CV-00324-C
)	
SOUTHEASTERN OKLAHOMA)	
STATE UNIVERSITY,)	
)	
and)	
)	
THE REGIONAL UNIVERSITY)	
SYSTEM OF OKLAHOMA,)	
)	
)	
Defendants.)	

**DR. RACHEL TUDOR’S MOTION TO FILE
EX PARTE AND UNDER SEAL**

Plaintiff/Intervenor Dr. Tudor respectfully moves the Court for leave to file the following documents *ex parte* with the Court, and under seal: (1) Dr. Tudor’s Opposition to Defendants’ Motion for a Protective Order, due Wednesday September 20, 2017 and (2) exhibits to the Opposition. For the following reasons, this Motion should be granted.

1. On August 30, 2017, Defendants and Plaintiff United States reached a compromise settlement (“Compromise Settlement”). Defendants wish to keep the compromise settlement confidential.
2. On August 30, 2017 Defendants moved for a Protective Order in this case to prevent dissemination of information concerning as well as the Compromise Settlement document itself from the media (ECF Doc. 156).
3. On August 31, 2017, Defendants moved for a Temporary Restraining Order (ECF Doc. 157).
4. On August 31, 2017, the Court granted Defendants’ Motion for TRO (ECF Doc. 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.* at 2.
5. On September 5, 2017, Dr. Tudor requested clarification from the Court as to whether she may, under the TRO, directly reference terms of the Compromise Agreement and attach the Agreement as an exhibit to her forthcoming response to Defendants’ Motion for Protective Order (ECF Doc. 161).
6. On September 6, 2017, the Court clarified that Tudor should file a proper motion seeking leave to file her response to Defendants’

Motion for Protective Order and related exhibits under seal (ECF Doc. 162).

7. In responding to Defendants' Motion for Protective Order, Dr. Tudor must reference specific terms of the Compromise Agreement in her brief itself and attach the Agreement, as an exhibit, thereto.
8. However, filing the documents referenced above 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.
9. In order to avoid disseminating Dr. Tudor's brief and the Compromise Agreement beyond the parties who have already been provided copies of the Agreement and who are covered by the Court's Temporary Restraining Order, Dr. Tudor requests leave to file the documents *ex parte* and then serve them through non-ECF means on Defendants and the United States.

Pursuant to Local Rule 12.2, Dr. Tudor respectfully requests leave to file her response to Defendants' Motion for Protective Order and supporting

exhibits under seal. For the foregoing reasons, Dr. Tudor respectfully requests that the Court grant this Motion.

Dated: September 18, 2017

/s/ Ezra Young
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CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2017, I electronically filed a copy of the foregoing with the Clerk of Court by using the CM/ECF system, which will automatically serve all counsel of record.

/s/ Ezra Young
Ezra Young (NY Bar No. 5283114)