

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND

BROCK STONE, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*,

Defendants.

Case 1:17-cv-02459-MJG

Hon. Marvin J. Garbis

DEFENDANTS' CONSENT MOTION TO FILE DECLARATIONS UNDER SEAL

Pursuant to Local Rule 105.11, Defendants respectfully move the Court to place under seal four declarations in support of Defendants' motion to dismiss and opposition to Plaintiffs' motion for a preliminary injunction. Plaintiffs consent to the relief requested in this motion.

Local Rule 105.11 provides that courts may grant motions to seal if the moving party includes, "(a) proposed reasons supported by specific factual representations to justify the sealing and (b) an explanation why alternatives to sealing would not provide sufficient protection." Defendants meet both requirements in this motion. First, Defendants seek to seal two declarations, the FKP Declaration and the MJB Declaration, that contain information that is subject to the protective order in this case, *see* ECF No. 50, because it could reveal the identity of Plaintiff John Doe, who the Court has permitted to proceed under a pseudonym in this litigation. *See id.* Defendants also seek to file under seal the declarations of Matthew Vanderlugt and Colin Campbell, because they contain detailed medical information about Plaintiffs Kate Cole and Teagan Gilbert.

Second, Plaintiffs have provided the sealed declarations to Plaintiffs' counsel and have requested that Plaintiffs' counsel confer with their clients and determine whether it would be possible to redact the four declarations in a manner that would adequately protect Plaintiff Doe's

identity and Plaintiff Cole's and Plaintiff Gilbert's medical information. After Plaintiffs' counsel provides redactions to protect their clients' privacy, Defendants will file redacted declarations on the public record through the ECF system.

Accordingly, Defendants respectfully request that the Court enter an order placing the FKP, MJB, Vanderlugt, and Campbell declarations under seal.

Dated: October 12, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of October 2017, a copy of the foregoing was served via electronic mail, pursuant to agreement, on the following counsel:

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[PROPOSED] ORDER SEALING PORTIONS OF THE COURT RECORD

Whereas, on October 12, 2017, Defendants filed a consent motion to file declarations under seal (“Motion to Seal”);

Whereas, in the motion, Defendants have proposed reasons supported by specific factual representations to justify the sealing, consistent with Local Civil Rule 105.11;

Whereas, Defendants have justified in their motion the sealing of the FKP, MJB, Vanderlugt, and Campbell declarations (the “Sealed Declarations”), filed in support of Defendants’ motion to dismiss and opposition to Plaintiffs’ motion for a preliminary injunction.

Whereas, Plaintiffs consent to the Motion to Seal;

Whereas, the Court has not ruled on the Motion for at least fourteen (14) days after it was entered on the public Court docket to permit the filing of objections by interested parties;

Whereas, the Court has considered any objections by interested parties, pursuant to L.R. 105.11;

Whereas, Defendants have stated in the Motion why alternatives to sealing would not provide sufficient protection;

Whereas, the Court finds and holds that alternatives to sealing would not provide

sufficient protection;

Whereas, the Court finds and holds that the sealing of a portion of the record, specified herein, is appropriate;

Accordingly, it is this ____ day of _____ 2017 by the United States District Court for the District of Maryland, ORDERED:

1. That Defendants' Motion to Seal be, and the same hereby is, GRANTED, as specifically set forth herein;
2. That the Sealed Declarations (as defined above) be, and the same hereby are, PLACED UNDER SEAL by the Clerk of the Court and that the Sealed Records shall be placed in an envelope or other container which is marked SEALED, SUBJECT TO ORDER OF COURT DATED _____.
3. A copy of this Order shall be mailed to all counsel of record and to any other person entitled to notice hereof, and shall be docketed in the Court file.
4. No party or their counsel shall make public or otherwise disclose any of the Sealed Records to any person or entity not directly associated with this litigation absent further order of the Court, except that Defendants may file redacted copies of the Sealed Documents on the public record after consultation with Plaintiffs' counsel.

UNITED STATES DISTRICT JUDGE