

**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

**UNITED STATES COURT OF APPEALS**  
**FOR THE TENTH CIRCUIT**

**March 5, 2019**

**Elisabeth A. Shumaker**  
**Clerk of Court**

DR. RACHEL TUDOR,

Plaintiff - Appellant/Cross-  
Appellee,

and

UNITED STATES OF AMERICA,

Plaintiff,

v.

SOUTHEASTERN OKLAHOMA STATE  
UNIVERSITY, et al.,

Defendants - Appellees/Cross-  
Appellants.

Nos. 18-6102 & 18-6165  
(D.C. No. 5:15-CV-00324-C)  
(W.D. Okla.)

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NATIONAL WOMEN'S LAW CENTER,  
et al.,

Amici Curiae.

**ORDER**

This matter is before the court on defendants-appellees/cross-appellants' ("Appellees") *Unopposed Motion to File Sealed Documents*, in which—at plaintiff's request—they seek to file volume 12 of their Supplemental Appendix under seal. Volume 12 contains two exhibits Dr. Rachel Tudor submitted under seal in the district

court as part of her response in opposition to appellees’ motion for summary judgment [ECF No. 205]: Exhibit 13 which consists of excerpts from the deposition transcript of Judge Richard Ogden, and Exhibit 26, a photocopy of the identification page of Dr. Tudor’s passport.

Upon consideration, the court provisionally grants the motion in part and denies it in part as follows:

1. The court provisionally grants the motion to file an unredacted version of Exhibit 13 under seal, subject to reconsideration by the panel of judges who will be assigned to decide the case on its merits.
2. The court denies the motion to file Exhibit 26 under seal.
3. The court directs Appellees to file—on or before March 12, 2019—two revised volumes of the supplemental appendix:
  - a. A sealed volume marked as Revised Volume 12 of their Supplemental Appendix, which contains only an unredacted version of Exhibit 13; and
  - b. A publicly available Volume 13 that contains:
    - i. A version of Exhibit 13 that is redacted in such a manner as to protect any information the parties deem sensitive, *see* 10th Cir. R. 25.6(B) (requiring “the party seeking to protect sensitive information” to “publicly file a redacted version of the document concurrently with the motion to seal” “unless

redaction is impracticable”); *see also* 10th Cir. R. 25.5 (listing redactions that are required as a matter of course); and

ii. A version of Exhibit 26 that is redacted as Fed. R. App. P. 25(a)(5) and 10th Cir. R. 25.5 require.

4. As Tenth Circuit Rule 30.1(A)(2) requires, a single hard copy of the Revised Volume 12 and Volume 13 of the supplemental appendix must be received in the Clerk’s office on or before March 14, 2019.
5. Upon receipt of both the electronic and hard copies of Revised Volume 12 and Volume 13 of the supplemental appendix, the court directs its Clerk to remove the .pdf of volume 12 received on March 4, 2019 from its docket.
6. It does not appear that revising the supplemental appendix in this manner will affect the citations in Appellees’ reply brief. To the extent Appellees disagree with this assessment, however, the court directs them to file any errata with the court contemporaneous with the filing of the Revised Volume 12 and Volume 13.

Entered for the Court  
ELISABETH A. SHUMAKER, Clerk



by: Lisa A. Lee  
Counsel to the Clerk