

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

RICHARD ROE, <u>et al.</u> ,)	
)	
Plaintiffs,)	
)	
v.)	1:18-cv-1565 (LMB/IDD)
)	
JAMES N. MATTIS, in his official capacity as)	
Secretary of Defense, <u>et al.</u> ,)	
)	
Defendants.)	

ORDER

Before the Court is plaintiffs’ Motion to File Under Seal Exhibits A & B and Supporting Attachments to Plaintiffs’ Memorandum in Support of Plaintiffs’ Motion for a Preliminary Injunction [Dkt. No. 36]. The Court finds that because of the well-documented risk of stigma and discrimination facing those living openly with HIV, there is good cause to keep the pseudonymous plaintiffs’ identities confidential. Under such circumstances, where “the public’s right of access is outweighed by competing interests,” the Court “may, in its discretion, seal documents.” In re Knight Pub. Co., 743 F.2d 231, 235 (4th Cir. 1984). Nonetheless, the amount of information withheld from the public eye must be no greater than necessary, and district courts must “[c]onsider less drastic alternatives to sealing,” including careful redaction of identifying information. Ashcraft v. Conoco, Inc., 218 F.3d 288, 302 (4th Cir. 2000); see, e.g., In re Genworth Fin. Sec. Litig., No. 3:14-cv-682, 2015 WL 12830373, at *1-4 (E.D. Va. Dec. 10, 2015).

After carefully reviewing the documents filed under seal, the Court finds that redaction, rather than outright sealing, would adequately protect plaintiffs’ identities while ensuring public

access to information vital to the resolution of plaintiffs' preliminary injunction motion.

Accordingly, plaintiff's motion [Dkt. No. 36] is GRANTED IN PART, and it is hereby

ORDERED that Exhibits A and B in support of plaintiff's motion for preliminary injunction may remain filed under seal; and it is further

ORDERED that plaintiffs publicly file redacted versions of every document filed under seal. Plaintiffs may redact only information that poses a reasonable risk of exposing plaintiffs' identities.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this th18 day of January, 2019.

Alexandria, Virginia

lsl 

Leonie M. Brinkema
United States District Judge