

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

RICHARD ROE; VICTOR VOE; and)
OUTSERVE-SLDN, INC.,)

Plaintiffs,)

v.)

PATRICK M. SHANAHAN, in his official)
capacity as Acting Secretary of Defense;)
HEATHER A. WILSON, in her official)
capacity as Secretary of the Air Force; and)
the UNITED STATES DEPARTMENT OF)
DEFENSE,)

No. 1:18-cv-1565-LMB-IDD

Defendants.)

ORDER

Upon consideration of Defendants’ Motion to File Under Seal Appendix pages 457 through 1024 (“the administrative record”) attached to Defendants’ Memorandum in Support of Defendants’ Motion to Dismiss and Defendants’ Opposition to Plaintiffs’ Motion for Preliminary Injunction, this Court GRANTS the motion, FINDING that: (1) Defendants provided sufficient notice of the request; (2) that there are no less drastic alternatives than sealing the administrative record; (3) that Roe’s and Voe’s identities should remain private consistent with the Court’s previous order, ECF No. 42, and; (4) that the government has a compelling interest in preventing the public release of certain unclassified information about military deployment rates.

Therefore, the Court ORDERS that Appendix pages 457 through 1024, attached to Defendants’ Memorandum in Support of Defendants’ Motion to Dismiss and Defendants’ Opposition to Plaintiffs’ Motion for Preliminary Injunction, be filed under seal. The Court further

ORDERS that Defendants shall confer with Plaintiffs regarding redaction of identifying information in the administrative record and that Defendants will publicly file a redacted version of the administrative record by February 1, 2019. Defendants may redact only information that poses a reasonable risk of exposing plaintiffs' identities or that contains sensitive information regarding military deployment rates.

Entered this th28 day of January, 2019.

lsl 

Leonie M. Brinkema
United States District Judge