

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

RICHARD ROE; VICTOR VOE; and	)	
OUTSERVE-SLDN, INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
RICHARD V. SPENCER, in his official	)	No. 1:18-cv-1565-LMB-IDD
capacity as Acting Secretary of Defense;	)	
MATTHEW P. DONOVAN, in his official	)	
capacity as acting Secretary of the Air Force;	)	
and the UNITED STATES DEPARTMENT	)	
OF DEFENSE,	)	
	)	
Defendants.	)	

---

**ORDER**

Upon consideration of Defendants’ motion to file under seal Exhibits C, D, and E to Defendants’ opposition to Plaintiffs’ motion to compel documents and information withheld on the basis of deliberative process privilege, as well as leave to file under seal and *ex parte* hard copies of the eight email chains at issue in Plaintiffs’ motion, 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 two confidential records; (3) that the Government’s deliberative discussions should remain confidential consistent with the Court’s previous order in *Harrison v. Esper*, No. 1:18-cv-641, ECF Nos. 128, 175, and; (4) that the government has a compelling interest in preventing the public release of certain deliberative policy discussions.

Therefore, the Court ORDERS that unredacted copies of Exhibits C, D, and E be filed under seal, and hard copies of the eight redacted email chains be filed under seal and *ex parte*.

Entered this 17<sup>th</sup> day of July, 2019.

  
 /s/ \_\_\_\_\_  
 Leonie M. Brinkema  
 United States District Judge