

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

RICHARD ROE, ET AL.,

PLAINTIFFS,

v.

RICHARD V. SPENCER, ET AL.,

DEFENDANTS.

CIVIL ACTION NO. 1:18-cv-01565

**MOTION TO SEAL PLAINTIFFS' REPLY AND EXHIBITS
A–F IN SUPPORT OF THEIR MOTION TO COMPEL
THE PRODUCTION OF DOCUMENTS AND INFORMATION**

Pursuant to Local Civil Rule 5, Plaintiffs respectfully move this Court for permission to file under seal unredacted versions of their Reply in Support of Their Motion to Compel the Production of Documents and Information, and Exhibits A–F to that memorandum, along with redacted versions on the public record. These documents contain confidential discussions of officials of the Air Force, and are subject to the Court's protective order in this case, which requires that the information contained in them be redacted from documents filed on the public record. These documents also contain the personal identifying information of Plaintiffs, which this Court has already found should be redacted from the public record. *See, e.g.*, Order Granting Pls.' Mot. to Seal, ECF No. 136. For these reasons, which are elaborated upon in the accompanying Memorandum in Support, these documents must be filed under seal, along with redacted versions filed on the public record.

Dated: July 18, 2019

/s/ Scott Schoettes

Scott Schoettes*
SSchoettes@lambdalegal.org
Kara Ingelhart*
KIngelhart@lambdalegal.org
LAMBDA LEGAL DEFENSE AND
EDUCATION FUND, INC.
105 W. Adams St., Suite 2600
Chicago, IL 60603
T: (312) 663-4413

Anthony Pinggera*
APinggera@lambdalegal.org
LAMBDA LEGAL DEFENSE AND
EDUCATION FUND, INC.
4221 Wiltshire Blvd., Suite 280
Los Angeles, CA 90010
T: (213) 382-7600

Peter E. Perkowski*
PeterP@outserve.org
OUTSERVE-SLDN, INC.
P.O. Box 65301
Washington, DC 20035-5301
T: (800) 538-7418

/s/ John W. H. Harding

John W.H. Harding
Virginia State Bar No. 87602
JWHarding@winston.com
Lauren Gailey*
LGAiley@winston.com
Laura Cooley
Virginia State Bar No. 93446
LCooley@winston.com
Alexandra J. Hemmings*
AHemmings@winston.com
WINSTON & STRAWN LLP
1700 K St., NW
Washington, DC 20006
T: (202) 282-5000

Julie A. Bauer*
JBauer@winston.com
WINSTON & STRAWN LLP
35 W. Wacker Dr.
Chicago, IL 60601
T: (312) 558-560

Andrew R. Sommer
Virginia State Bar No. 70304
Sommera@gtlaw.com
GREENBERG TRAUIG, LLP
1750 Tysons Boulevard
Suite 1000
McLean, VA 22102
T: (703) 749-1370

CERTIFICATE OF SERVICE

I certify that, on the 18th day of July, 2019, I caused this document to be filed electronically through the Court's CM/ECF system, which automatically sent a notice of electronic filing to all counsel of record.

Dated: July 18, 2019

Respectfully submitted,

/s/ John W. H. Harding

John W.H. Harding

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

RICHARD ROE, ET AL.,

PLAINTIFFS,

v.

RICHARD V. SPENCER, ET AL.,

DEFENDANTS.

CIVIL ACTION NO. 1:18-cv-01565

PROPOSED ORDER

Upon consideration of Plaintiffs' Motion to Seal Their Reply and Exhibits A–F in Support of Their Motion to Compel the Production of Documents and Information, this Court GRANTS the motion, FINDING that: (1) Plaintiffs provided sufficient notice of the request; (2) that there are no less drastic alternatives than filing these documents under seal along with publicly filed redacted versions; and (3) that there is good cause to keep these documents under seal because they are subject to the Court's protective order in this case or contain the personal identifying information of Plaintiffs. Therefore, it is hereby:

ORDERED that the unredacted versions of Plaintiffs' Reply in Support of Their Motion to Compel the Production of Documents and Information, and Exhibits A–F to that memorandum, may remain filed under seal.

Entered this ____ day of _____, 2019.

United States District Judge