

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

JIONNI CONFORTI,

*Plaintiff,*

v.

ST. JOSEPH'S HEALTHCARE SYSTEM,  
INC.; ST. JOSEPH'S HOSPITAL AND  
MEDICAL CENTER D/B/A ST. JOSEPH'S  
REGIONAL MEDICAL CENTER; and  
FATHER MARTIN D. ROONEY,

*Defendants.*

Case No. 2:17-cv-00050-CCC-CLW

**ORDER TO SEAL**

This matter having been brought before the Court by Plaintiff Jionni Conforti ("Mr. Conforti"), by and through his counsel Quinn Emanuel Urquhart & Sullivan, LLP, on notice to and without objection from counsel to Defendants St. Joseph's Healthcare System, Inc., St. Joseph's Hospital and Medical Center (d/b/a St. Joseph's Regional Medical Center), and Father Martin D. Rooney, for an Order granting Mr. Conforti's Motion To Seal, which is submitted under N.J. Local Civ. R. 5.3; and the Court having considered the papers submitted by Mr. Conforti in connection with this motion; and having heard the arguments of counsel, if any; and for good cause shown;

The Court makes the following findings of fact and conclusions of law:

1. Motions to seal are governed by Local Civil Rule 5.3(c), which requires the moving party to describe: (a) the nature of the materials or proceedings at issue; (b) the legitimate private or public interest which warrants the relief sought; (c) the clearly defined and serious injury that would result if the relief sought is not granted; (d) why a less restrictive alternative to the relief sought is not available; (e) any prior

order sealing the same materials in the pending action; and (f) the identity of any party or nonparty known to be objecting to the sealing request.

2. On February 15, 2019, counsel for Mr. Conforti filed a Motion to Quash and for a Protective Order, (Dkt. 69), and filed under seal an exhibit containing Mr. Conforti's highly confidential medical records, (Dkt. 70). On March 4, 2019, Defendants filed an unredacted version of their opposition brief also containing Mr. Conforti's confidential medical information under seal, (Dkt. 63). On March 19, 2019, Mr. Conforti filed a reply, which completed briefing on the motion. (Dkt. 76). On June 20, 2019, parties convened for a hearing on Mr. Conforti's Motion to Quash and for a Protective Order. (Dkt. 94).
3. Public disclosure of the sealed information would cause serious injury to Mr. Conforti by revealing confidential and highly sensitive personal and medical information disclosed to Mr. Conforti's medical providers.
4. The Court finds there is no less restrictive means for shielding this information. The June 20, 2019 hearing transcript (Dkt. 94) is comprised of many references by Mr. Conforti's counsel and counsel for Defendants to Mr. Conforti's highly sensitive personal information and medical records. Further, the proposed redactions to the hearing transcript, submitted to the Court as Exhibit 1 to the Motion to Seal, are tailored and limited to the most sensitive information therein, and the unredacted portions provide sufficient information to the public regarding the nature of the parties' discovery disputes. The limited sealed material serve to safeguard Mr. Conforti's rights and legitimate interests in keeping such information private.

5. On February 4, 2019, the Court granted Mr. Conforti's first motion to seal the parties' joint letter to the Court related the instant discovery dispute. (Dkt. 68).
6. The Court is unaware of any party or nonparty objecting to the sealing request.
7. "The Third Circuit has recognized the important privacy interest in one's medical records." *Bertolotti v. AutoZone, Inc.*, 132 F. Supp. 3d 590, 609 (D.N.J. 2015) (citing *Everett v. Nort*, 547 F. App'x 117, 122 n.9 (3d Cir. 2013) (citing *Doe v. Delie*, 257 F.3d 309 (3d Cir. 2001))). The material at issue contains Mr. Conforti's "private health information, which is protected from disclosure under the Health Insurance Portability and Accountability Act ("HIPAA")." *Id.* "Furthermore, public disclosure of an individual's medical history and personal identifying numbers has been held to be a clearly defined and serious injury sufficient to support sealing of medical records." *Id.* (citing *Harris v. Nielsen*, No. 09-cv-2982, 2010 WL 2521434, at \*4 (D.N.J. June 15, 2010)).
8. The Court concludes that Mr. Conforti has demonstrated that his application meets the requirements of Local Civil Rule 5.3.

IT IS on this 22 day of August, 2019,

**ORDERED**, that Plaintiff Jionni Conforti's Motion to File Under Seal is granted.

At Newark, New Jersey

          s/ Cathy Waldor            
Hon. Cathy L. Waldor, U.S.M.J.