

The Honorable Marsha J. Pechman

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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

RYAN KARNOSKI, et al.,

*Plaintiffs, and*

STATE OF WASHINGTON,

*Plaintiff-Intervenor,*

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, et al.,

*Defendants.*

Case No. 2:17-cv-01297-MJP

**PLAINTIFFS’ MOTION TO SEAL**

NOTE ON MOTION CALENDAR:  
October 11, 2019

1 Pursuant to Local Civil Rule 5(g), plaintiffs Ryan Karnoski, Staff Sergeant Cathrine  
2 Schmid, D.L., Chief Warrant Officer Lindsey Muller, Petty Officer First Class Terece Lewis,  
3 Petty Officer Second Class Phillip Stephens, Petty Officer Second Class Megan Winters, Jane  
4 Doe, Human Rights Campaign, Gender Justice League, and American Military Partners  
5 Association n/k/a Modern Military Association of America (collectively “Plaintiffs”) hereby  
6 respectfully move the Court for an Order permitting it to file a January 29, 2018 email exchange  
7 between Secretary of Defense James Mattis and Greg Newbold (Exhibit 62 to the Supplemental  
8 Declaration of Daniel Siegfried, “Ex. 62”) under seal in support of Plaintiffs’ Reply in support of  
9 Plaintiffs’ Renewed Motion to Compel Documents Withheld Under the Deliberative Process  
10 Privilege (“Reply”).

11 Pursuant to Rule 5(g)(2), Plaintiffs have filed Ex. 62 after or contemporaneously with this  
12 motion, and respectfully requests that the Court in its discretion, allow Ex. 62 to remain as filed.

13 Plaintiffs certify, pursuant to Rule 5(g)(3), that Sam Ikard, counsel for Plaintiffs, conferred  
14 via email with Andrew Carmichael, counsel for Defendants. Counsel for Defendants confirmed  
15 that Defendants do not oppose Plaintiffs’ request to file Ex. 62 under seal.

#### 16 ARGUMENT

17 Plaintiffs seek to file Ex. 62 under seal in accordance with LCR 5(g)(3) and the Stipulated  
18 Uniform Protective Order and Cross-Use Agreement (Dkt. No. 183) because the information was  
19 designated “CONFIDENTIAL” by Defendants and received by Plaintiffs through the discovery  
20 process.

#### 21 CONCLUSION

22 For all of the foregoing reasons, Plaintiffs respectfully request that they be permitted to file  
23 Exhibit 62 to the Supplemental Declaration of Daniel Siegfried under seal.

1 Respectfully submitted September 27, 2019.

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28 Joseph B. Tyson (admitted pro hac vice)

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

The undersigned certifies under penalty of perjury under the laws of the United States of America and the laws of the State of Washington that all participants in the case are registered CM/ECF users and that service of the foregoing documents will be accomplished by the CM/ECF system on September 27, 2019.



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v.

DONALD J. TRUMP, in his official capacity  
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Case No. 2:17-cv-01297-MJP

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' MOTION TO SEAL**

NOTE ON MOTION CALENDAR:  
October 11, 2019

This matter comes before the Court on Plaintiffs' Motion to Seal. The Court having considered the Motion, Defendants' Response, and all pleadings and papers on file herein, IT IS HEREBY ORDERED:

1. Plaintiffs' Motion to Seal is hereby GRANTED.
2. The January 29, 2018 email exchange between Secretary of Defense James Mattis to Greg Newbold, Ex. 62, will remain filed under seal.

