

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

RICHARD ROE, ET AL.,

PLAINTIFFS,

v.

MARK T. ESPER, ET AL.,  
DEFENDANTS.

CIVIL ACTION NO. 1:18-cv-01565

NICHOLAS HARRISON, ET AL.,

PLAINTIFFS,

v.

MARK T. ESPER, ET AL.,  
DEFENDANTS.

CIVIL ACTION NO. 1:18-CV-00641

**PLAINTIFFS' MOTION TO SEAL PLAINTIFFS' COMBINED REPLY IN SUPPORT  
OF PLAINTIFFS' MOTIONS FOR SUMMARY JUDGMENT AND OPPOSITION TO  
DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT AND  
EXHIBITS 64, 70, AND 76**

Pursuant to Local Civil Rule 5, Plaintiffs respectfully move the Court to seal the Plaintiffs' Combined Reply in Support of Plaintiffs' Motions for Summary Judgment and Opposition to Defendants' Motions for Summary Judgment and Exhibits 64, 70, and 76. These documents contain private health information of Plaintiff Harrison, as well as information that has been marked as "confidential" by the Defendants. 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 2, 2020

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*/s/ John W. H. Harding*

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## CERTIFICATE OF SERVICE

I certify that, on the 2nd day of July, 2020, 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 2, 2020

Respectfully submitted,

/s/ John W. H. Harding  
John W.H. Harding

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**[PROPOSED] ORDER**

The Court has reviewed Plaintiffs' Motion to Seal Plaintiffs' Combined Reply in Support of Plaintiffs' Motions for Summary Judgment and Opposition to Defendants' Motions for Summary Judgment and Exhibits, and the public memorandum filed in support thereof. Upon consideration of Plaintiffs' motion and supporting memorandum, the Court hereby FINDS:

1. That public notice of the request to seal and a reasonable opportunity to challenge the request has been given;
2. That the targeted and limited sealing sought by Plaintiffs is the least drastic alternative available; and
3. That the common law and First Amendment presumptions in favor of public access to records are outweighed for the reasons set forth in Plaintiffs' memorandum.

Accordingly, for good cause shown, it is hereby

ORDERED that Plaintiffs' Motion to Seal is GRANTED.

Date: \_\_\_\_\_