

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

GERALD LYNN BOSTOCK,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	NO: 1:16-cv-01460-ELR-WEJ
CLAYTON COUNTY,)	
)	
Defendant.)	

**REPLY BRIEF IN SUPPORT OF DEFENDANT’S
EMERGENCY MOTION TO SEAL CERTAIN DEPOSITION
TRANSCRIPTS AND PLEADINGS FILED BY PLAINTIFF
IN SUPPORT OF HIS MOTION FOR SUMMARY JUDGMENT**

COMES NOW, Clayton County, (“the County”), the Defendant in the above-referenced case, and files this, its Reply Brief in Support of its Emergency Motion To Seal Certain Deposition Transcripts And Pleadings Filed By Plaintiff In Support Of His Motion For Summary Judgment.

Plaintiff’s contentions in response to the County’s Motion are meritless. The Consent Protective Order does not provide that confidentiality is waived or lost if designations from a deposition transcript are not made within 10 days. Instead, the 10-day period is a safe harbor. If a party files a deposition transcript after that time period, and the opposing party has not designated any excerpts from that transcript as

confidential, then there is no violation. Here, the County did make the confidentiality designations for Judge Teske's and John Johnson's deposition transcripts before Plaintiff filed his Motion, and Plaintiff made a deliberate decision to ignore them.

Plaintiff also argues that the 1/13/22 Order and the Consent Protective Order provide that confidential materials may be filed with the Court. The County agrees, but Plaintiff overlooks the fact that the Consent Protective Order also provides for the filing of confidential materials under seal. (Doc. 85, ¶ 6).

Accordingly, the County respectfully requests that its Emergency Motion be granted.

Respectfully submitted,

FREEMAN MATHIS & GARY, LLP

/s/ Jack R. Hancock

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CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1(D), I hereby certify that the within and foregoing **REPLY BRIEF IN SUPPORT OF DEFENDANT’S EMEGENCY MOTION TO SEAL CERTAIN DEPOSITION TRANSCRIPTS AND PLEADINGS FILED BY PLAINTIFF IN SUPPORT OF HIS MOTION FOR SUMMARY JUDGMENT** has been prepared in compliance with Local Rule 5.1(B) in 14-point Times New Roman type face.

This 23rd day of March, 2022.

/s/ Jack R. Hancock _____

Jack R. Hancock
Georgia Bar No. 322450

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the within and foregoing **REPLY BRIEF IN SUPPORT OF DEFENDANT'S EMERGENCY MOTION TO SEAL CERTAIN DEPOSITION TRANSCRIPTS AND PLEADINGS FILED BY PLAINTIFF IN SUPPORT OF HIS MOTION FOR SUMMARY JUDGMENT** with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the following counsel of record:

Thomas J. Mew, IV
Edward D. Buckley
Andrew Beal
Buckley Beal LLP
600 Peachtree Street, NE, Suite 3900
Atlanta, GA 30308

This 23rd day of March, 2022.

/s/ Jack R. Hancock

Jack R. Hancock
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