

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

NICHOLAS HARRISON, et al.,

Plaintiffs,

v.

LLOYD J. AUSTIN, Secretary of Defense, et al.,

Defendants.

Civil Action No. 1:18-cv-641 (LMB/IDD)

RICHARD ROE, et al.,

Plaintiffs,

v.

LLOYD J. AUSTIN, Secretary of Defense, et al.,

Defendants.

Civil Action No. 1:18-cv-1565 (LMB/IDD)

**MOTION TO FILE UNDER SEAL EXHIBITS C THROUGH F TO
PLAINTIFF RICHARD ROE AND MODERN MILITARY ASSOCIATION OF
AMERICA’S AMENDED AND SUPPLEMENTAL EVIDENCE IN SUPPORT OF
MOTION TO ENFORCE AND ORDER TO SHOW CAUSE**

Under Local Civil Rule 5, Plaintiffs Richard Roe and Modern Military Association of America, Inc. (“MMAA”) respectfully move the Court for leave to file under seal Exhibits C, D, E, and F to its amended and supplemental evidence in support of their Motion to Enforce and Order to Show Cause (*Harrison* ECF 349; *Roe* ECF 358). These documents must be filed under seal for the reasons stated in the accompanying Memorandum.

Dated: June 2, 2023

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that, on June 2, 2023, 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.

Respectfully submitted,

/s/ Ashley R. Phillips

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[PROPOSED] ORDER GRANTING MOTION TO SEAL

AND NOW, this ____ day of _____ 2023, having reviewed the submissions regarding Plaintiffs' Motion to File Under Seal Exhibits C through F, this Court GRANTS the motion, FINDING that: (1) Plaintiffs provided sufficient notice of the request; (2) that there are no less drastic alternatives than sealing the declarations; and (3) that declarants have a legitimate fear of discrimination based on their HIV status if their identities became public. Therefore, the Court ORDERS the Exhibits C through F in support of Plaintiffs' Motion to Enforce and for an Order to Show Cause be filed under seal.

BY THE COURT:
