

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

NICHOLAS HARRISON, *et al.*,

Plaintiffs,

v.

LLOYD J. AUSTIN III, *et al.*,

Defendants.

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

RICHARD ROE, *et al.*,

Plaintiffs,

v.

LLOYD J. AUSTIN III, *et al.*,

Defendants.

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

DEFENDANTS' MOTION TO FILE UNDER SEAL

Pursuant to Local Civil Rule 5, Defendants move to seal unredacted versions of Exhibits 7, 9, 10, and 11 that are being filed in support of Defendants' Opposition to Plaintiffs' Motion to Enforce Judgment and for an Order to Show Cause, which is being filed concurrently with this motion. These exhibits contain information that could potentially be used to identify the pseudonymous individuals living with HIV that are discussed in Plaintiffs' motion and Defendant's response. Defendants believe that some of the currently redacted information is likely not sufficiently identifying to warrant continued sealing, but out of an abundance of caution Defendants have moved to seal the unredacted exhibits in order to allow time for Plaintiffs to evaluate the unredacted exhibits and inform the Court whether Plaintiffs

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PROPOSED ORDER

Upon consideration of Defendants' motion to file under seal, and the entire record herein, it is hereby

ORDERED that Defendants' motion is **GRANTED**.

The Court finds that, consistent with Fourth Circuit precedent and this Court's prior orders, (1) Defendants provided sufficient notice of the request; (2) there are no less drastic alternatives, particularly given Defendants' filing of redacted versions of the specified filings on the public docket where appropriate; and (3) the information to be sealed is inappropriate for public release, consistent with the Court's prior orders in this litigation. Accordingly, the unredacted versions of the specified exhibits to Defendants' Opposition to Plaintiffs' Motion

to Enforce Judgment and for an Order to Show Cause (*i.e.*, Exhibits 7, 9, 10, and 11) are and shall remain **UNDER SEAL** pending further order of the Court.

SO ORDERED.

Entered this _____ day of _____, _____.

Alexandria, Virginia.

Leonie M. Brinkema
United States District Judge