

**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 EXHIBIT A TO REPLY BRIEF  
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 Exhibit A to the Reply Brief in support of the Motion to Enforce. This document must be filed under seal for the reasons stated in the accompanying Memorandum.

Dated: June 16, 2023

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that, on June 16, 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.

Dated: June 16, 2023

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 Exhibit A to the Reply Brief (ECF 381), 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 Exhibit A to Plaintiff's Reply in Support of Plaintiff Richard Roe and Modern Military Association of America's Motion to Enforce the Orders Dated April 6, 2022 (as Amended May 10, 2022) and For an Order to Show Cause Why Defendants Should Not be Held in Contempt be filed under seal.

BY THE COURT:

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