

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ANDREW COX, et al.)
)
 Plaintiffs,)
)
 vs.) No. 1:12-cv-01654-TWP-MJD
)
 SHERMAN CAPITAL LLC, et al.)
)
)
 Defendants.)
)

ORDER ON PLAINTIFFS’ MOTION TO SEAL

This matter comes before the Court on Plaintiffs’ Motion for Leave to File Material under Seal Pursuant to Stipulated Protective Order. [Dkt. 282.] Plaintiffs in this motion ask to file their Response to Defendants’ Supplemental Brief under seal on the grounds that the response contains information designated confidential by Defendants. [*Id.* at 1.]

Previously in this litigation, the Court has allowed Plaintiffs to file material under seal when the material includes information that, pursuant to the Stipulated Protective Order [Dkt. 73], Defendants have designated confidential. [*See* Dkts. 119 & 276.] In such cases, however, the Court has then required Defendants to file contemporaneous motions to 1) keep under seal those portions of Plaintiffs’ submissions that Defendants believe should remain sealed; and 2) unseal those portions of Plaintiffs’ submissions that Defendants do not believe need to remain sealed. [*Id.*]

The Court will follow the same procedure with Plaintiffs’ Response to Defendants’ Supplemental Brief. The Court therefore **GRANTS** Plaintiffs’ Motion for Leave to File Material under Seal Pursuant to Stipulated Protective Order. [Dkt. 282]. The Court **ORDERS** Defendants

to file, within seven days of the date of this order, a motion pursuant to Fed. R. Civ. P. 26(c) to seal any specific portions of Plaintiffs' submissions that Defendants believe should be maintained by the Court under seal. Such motion shall cite to and comply with the relevant Rules and case law governing such motions. Contemporaneous with that motion to seal, Defendants shall file a motion to unseal any portions of Plaintiffs' submission that Defendants do not believe should be maintained under seal, along with copies of Plaintiffs' brief and any exhibits subject to Defendants' motion to seal, from which only the information Defendants seek to maintain under seal should be redacted, which redacted copies shall not be filed under seal.

Failure by Defendants to timely file the motions to seal required by this order shall result in the unsealing of the related documents.

Date: 10/10/2014

A handwritten signature in black ink, appearing to read 'Mark J. Dinsmore', written over a horizontal line.

Mark J. Dinsmore
United States Magistrate Judge
Southern District of Indiana

Distribution:

Robert D. Cheesebrough
ruaneagle@aol.com

Matthew D. Boruta
CHEESEBOUROGH & BORUTA
boruta17@hotmail.com

Amy E. Romig
PLEWS SHADLEY RACHER & BRAUN
aromig@psrb.com

Frederick D. Emhardt
PLEWS SHADLEY RACHER & BRAUN
emhardt@psrb.com

George M. Plews
PLEWS SHADLEY RACHER & BRAUN
gplews@psrb.com

Jeffrey A. Townsend
PLEWS SHADLEY RACHER & BRAUN
jtownsend@psrb.com

Peter M. Racher
PLEWS SHADLEY RACHER & BRAUN
pracher@psrb.com

David A. Maas
REED SMITH LLP
dmaas@reedsmith.com

Gary S. Caplan
REED SMITH LLP
gcaplan@reedsmith.com

James A. Rolfes
REED SMITH LLP
jrolfes@reedsmith.com

Michael L. DeMarino
REED SMITH LLP
mdemarino@reedsmith.com

Thomas L. Allen
REED SMITH LLP
tallen@reedsmith.com

James W. Riley, Jr.
RILEY BENNETT & EGLOFF LLP
jriley@rbelaw.com