

Motions to Seal: Requirements

Parties moving to file documents under seal must comply with Local Rule CR 5(g). All motions to seal, including stipulated motions, must describe with specificity the documents sought to be protected, provide facts justifying sealing, and include a proposed order.

If counsel cannot agree, then a properly noted motion to seal must be filed prior to or contemporaneously with the document to be sealed.

If a party seeks to file a document that another party claims is confidential, the party seeking to file the document shall give at least 7 days notice to the other parties so a motion to seal may be prepared and filed at the same time the document is submitted.

Counsel shall advise the Court of the requested disposition of confidential matters in the event the Court denies a request to seal (e.g., should the information be removed from the docket rather than be unsealed).

The Court generally considers all evidence presented at trial, including confidential materials, to be matters of public record. Although the parties may move or stipulate to maintaining as confidential any sealed information used at trial, the Court retains the authority to determine what evidence should be part of the public record.