

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**PLANNED PARENTHOOD OF THE  
COLUMBIA/WILLAMETTE, INC., et al.,**

**Plaintiffs,**

v.

**MICHAEL BRAY, et al.,**

**Defendants.**

**CASE NO. 2:05-mc-002  
JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Terence P. Kemp**

**OPINION AND ORDER**

This matter is before the Court for decision as to the availability for sale of certain documents taken from Defendant Michael Bray's computer hard drive. Plaintiffs in this case hold an unsatisfied judgment against Defendants. By Order dated September 21, 2012, the Court granted Plaintiffs' request to sell the writings and communications relating to Bray's involvement in the anti-abortion movement that are on the hard drives. (Doc. No. 102.) Of the thousands of pages of documents to be sold, the parties ultimately could not agree as to thirty-one (31) documents and seven (7) photographs.

Pursuant to the Court's request, Bray filed a Motion to Exclude from Sale Certain Documents (Doc. No. 104), which was fully briefed. Plaintiffs also hand delivered to this Court copies of the documents that are at issue. On January 15, 2013, this Court issued an Opinion and Order, concluding:

Based on the foregoing, the Court **DENIES** Bray's Motion to Exclude from Sale Certain Documents (Doc. No. 104) to the extent he requests a categorical exclusion of those documents and/or photographs. The parties shall appear at an oral hearing scheduled for **Tuesday, January 29, 2013 at 2:30 p.m.** to discuss each of the disputed documents and photographs that the Court has reviewed *in camera*.

(Doc. No. 107 at 7.)

After several requests to continue the January 29, 2013 hearing, the parties appeared before this Court on April 9, 2013. At that hearing, *inter alia*, the Court indicated that it would withhold its determination as to the disputed documents until the appraisers have provided their reports on the value of the property that has already been determined to be appropriate for sale. The appraisers have since provided their reports and the documents have been packaged in groups for sale. Thus, the parties have requested that the Court determine the disposition of the disputed documents, which were resubmitted to the Court via email on September 3, 2013.

As the Court indicated in its January 15, 2013 decision, it ordered in camera review of the disputed documents “to ensure that documents not appropriate for sale will be excluded from the auction. After this review, the Court determines that some of the documents and found that some are to be excluded from sale and some redacted as follows:

A. Documents to be excluded:

1. Address lists Bates stamped ABC1147 and ABC1148.
2. Email address lists Bates stamped ABC2250 and ABC2251.

B. Documents to be redacted as requested by Bray:

1. Letter Bates stamped ABC2224.
2. Letter Bates stamped ABC3853.

C. Documents Bray requests be excluded completely shall be redacted as follows:

1. Document Bates stamped ABC1249 shall have redacted from it the address and the two email addresses listed in the fourth, fifth and sixth lines of the document.
2. Document Bates stamped ABC3827 shall have redacted from it the name listed at the

third bullet point.

The remaining documents reviewed *in camera* that were presented to the Court on September 3, 2013, are to be packaged for auction in their unredacted form.<sup>1</sup>

**IT IS SO ORDERED.**

11-4-2013  
DATE

  
EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>The exception to this is the redaction on a portion of the document Bates stamped ABC2291 to which Plaintiffs withdrew their objection.