

IN THE UNITED STATE DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MICHAEL A. CARRILLO,

Plaintiff,

CASE NO. 2:15-cv-427-FtM38CM

v.

SOUTHWEST AIRLINES CO.

Defendant.

**ORDER ON DISCLOSURE OF SENSITIVE SECURITY INFORMATION AND
PASSENGER MANIFEST INFORMATION**

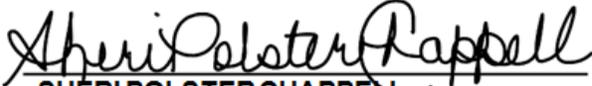
1. Federal law mandates that Defendant Southwest Airlines Co. maintain any passenger information in the strictest confidence, including any information found in the passenger manifest. See 49 C.F.R. parts 15 and 1520. For example, 14 C.F.R. § 243.9(c), a provision of the Aviation Security Improvement Act, provides that any passenger manifest “shall be kept confidential and released *only* to the U.S. Department of State, the National Transportation Safety Board (upon NTSB’s request), and the U.S. Department of Transportation” The statute does not provide an exception for disclosure of this information in civil litigation. The purpose of the regulation “is to ensure that the U.S. government has prompt and adequate information in case of an aviation disaster on covered flight segments.” 14 C.F.R. § 243.1. The Department of Transportation has clearly stated that the contact information provided by passengers “is personal and is provided by passengers with the expectation that it will not be used for other purposes.” Passenger Manifest Information, 63 FR 8258-01 at 8274.

2. It is anticipated that discovery in this case will implicate in some respects this Sensitive Security Information and Passenger Manifest Information. Specifically, as relevant to this lawsuit, Southwest will be obligated to disclose information regarding passengers on the subject flight that witnessed the incident that is the subject of this lawsuit. Given the express confidentiality requirements of these federal statutes, this Court hereby enters this Order to govern the disclosure of the relevant Sensitive Security Information and Passenger Manifest Information.

3. **IT IS HEREBY ORDERED** that Southwest is required to disclose the names and addresses of any passengers who witnessed the subject incident and who are likely to have discoverable information.

4. **IT IS FURTHER ORDERED** that all the names and addresses of any passengers which are produced or to be produced by Southwest during the course of this litigation shall be produced pursuant to the Agreed Protective Order ([Doc. #16](#)), and that Plaintiff and Southwest shall be bound to maintain the confidentiality of any such passenger information unless ordered otherwise by this Court.

DONE and **ORDERED** in Fort Myers, Florida, this 11th day of January, 2016.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record