

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA

Case Number: 06-21748-CIV-MARTINEZ-BANDSTRA

MARK J. GAINOR and ELYSE GAINOR,

Plaintiffs,

vs.

SIDLEY, AUSTIN, BROWN & WOOD, LLP
et al.,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS' MOTION TO
FILE DOCUMENTS UNDER SEAL**

This CAUSE came before the Court upon Plaintiffs' Motion to File Response Memoranda to Defendants Arthur Andersen, LLP, Michael S. Marx and P. Anthony Nissley's Motion to Dismiss and supporting Affidavit Under Seal (**D.E. No. 92**), filed on July 11, 2007. Plaintiffs assert that the Response Memoranda and Supporting Affidavit conform to the requirements for confidential documents in the Agreed Order Approving the Parties' Stipulation of Confidentiality ("Agreed Order") (D.E. No. 29), filed on December 19, 2006. There is no Supporting Affidavit; the only supporting document attached to the Response Memoranda is a letter to Plaintiff Max Gainor from his accountant. Although this letter does contain information that would be considered confidential under the terms of the Agreed Order, Plaintiffs have not set forth a reasonable basis for sealing the Response Memoranda itself. Therefore, it is:

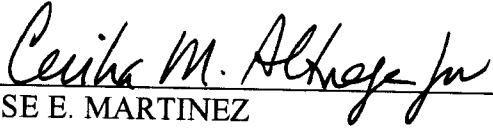
ORDERED AND ADJUDGED that

1 Plaintiffs' Motion to File Response Memoranda to Defendants Arthur Andersen, LLP, Michael S. Marx and P. Anthony Nissley's Motion to Dismiss and Supporting Affidavit Under Seal (**D.E. No. 92**) is **GRANTED** solely with respect to the letter attachment marked "Confidential" (**D.E. No. 99-2**). In all other respects, Plaintiffs' motion to file documents under seal is **DENIED**.

2. Should Plaintiffs wish to file the returned documents not under seal, they may do so

within five (5) days of the date of this Order.

DONE AND ORDERED in Chambers at Miami, Florida, this 24 day of July, 2007.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
Magistrate Judge Bandstra
All Counsel of Record