

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

2019 JUL -9 AM 9:34

CLERK C. Aders  
SO. DIST. OF GA.

GJ&L, INC.,

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Plaintiff,

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v.

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CV 117-179

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CNH INDUSTRIAL AMERICA, LLC,

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Defendant.

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ORDER

Before the Court is Defendant CNH Industrial America, LLC's motion to seal. (Doc. No. 102.) Defendant requests to seal Exhibits 1 and 2 to the Affidavit of Sriyani Fernando,<sup>1</sup> filed as Exhibit B to Defendant's reply in support of its motion for summary judgment. (Doc. No. 101.)

Exhibit 1 to the Fernando Affidavit includes several "Warranty Bulletins" outlining amendments to the terms of Defendant's Dealer Operating Guide. Defendant contends these documents contain confidential and proprietary information about Defendant's warranties that could result in a competitive disadvantage for both parties if the information is made available

<sup>1</sup> Mr. Fernando previously submitted an affidavit in support of Defendant's motion for summary judgment. (Doc. No. 87-3.) The affidavit referenced here is Mr. Fernando's second affidavit that was filed on June 26, 2019. (Doc. No. 101-2.)

to the public. The Court previously granted motions to seal the Dealer Operating Guide for the same reason. (See Doc. No. 91.)

Exhibit 2 to the Fernando Affidavit is an August 2017 letter between the parties discussing the May 2017 warranty audit. This letter also contains confidential and proprietary information about Defendant's warranty audit process.

The Court concludes good cause exists to seal both Exhibits. Accordingly, Defendant's motion to seal (doc. no. 102) is **GRANTED**. The Clerk is hereby **DIRECTED** to file Exhibits 1 and 2 to the Affidavit of Sriyani Fernando **UNDER SEAL** until further order of this Court.

**ORDER ENTERED** at Augusta, Georgia, this 9<sup>th</sup> day of July, 2019.

  
UNITED STATES DISTRICT JUDGE