

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

JERRY T. HONORABLE,

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Plaintiff,

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v.

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CASE NO. 3:12-CV-493

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BRUCE LEMMON, ET AL.,

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Defendants.

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OPINION AND ORDER

This matter is before the Court on the Defendants’ Motion for Protective Order To File Documents Under Seal (Docket # 42.) Because the Defendants have failed to establish good cause for sealing the documents, the Motion will be DENIED.

“When it comes to sealing documents, testimony or other information filed with or presented to the court in connection with judicial proceedings, the Seventh Circuit clearly frowns upon [a] broad prophylactic approach . . . designed to protect and seal anything that might be designated as confidential.” *In re DFI Proceeds, Inc.*, 441 B.R. 914, 918 (Bankr. N.D. Ind. 2011). Instead, absent good cause, redaction is all that is needed in order to protect private information. *Citizens First Nat’l Bank of Princeton v. Cincinnati Ins. Co.*, 178 F.3d 943, 945 (7th Cir. 1999).

The Defendants have failed to establish why the purportedly sensitive information contained in the documents they seek to place under protective order cannot simply be redacted. Indeed, the documents sought to be placed under seal are referenced throughout the Defendants’ memorandum in support of their Motion for Summary Judgment and frequently commented upon detail. (Docket # 47.) In short, it is problematic to have documents cited in support of a

dispositive motion excluded from viewing access by the public. *See Union Oil Co. of Cal. v. Leavell*, 220 F.3d 562, 568 (7th Cir. 2000) (“[M]ost portions of discovery that are filed and form the basis of judicial action must eventually be released.”).

For these reasons, the Defendants’ Motion for Protective Order is DENIED. The Defendants are to file by October 9, 2013, unsealed redacted copies of the Plaintiff’s medical records to the extent those documents are deemed necessary to the pending Motion for Summary Judgment.

SO ORDERED.

Enter for this 2nd day of October, 2013.

S/ Roger B. Cosby
Roger B. Cosby,
United States Magistrate Judge