

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JOSEPH DALE LEWIS,)	
)	
Plaintiff,)	
)	
v.)	No. 1:16-cv-03316-TWP-DLP
)	
RICHARD STIRES of the Elwood Police)	
Department,)	
LUCAS TRAYLOR of the Elwood Police)	
Department,)	
NATHAN HIATT Madison County Sheriff)	
Deputy,)	
SCOTT MELLINGER Madison County)	
Sheriff,)	
PHILLIP CALDWELL Police Chief,)	
)	
Defendants.)	

Order on Defendants’ Motion to Maintain Document Under Seal (Dkt. 111)

This matter comes before the Court on the Defendants’ Motion to Maintain Document Under Seal (Dkt. 111), which was filed March 9, 2018. Plaintiff has not filed a response to the motion, and the time for doing so has passed. Defendants request that the Court maintain under seal Exhibit 13 to their Appendix of Evidence in Support of Motion for Summary Judgment, which are excerpts from Plaintiff’s medical records. (Dkt. 110). Defendants offer that they seek to have the exhibit maintained under seal because it contains Plaintiff’s medical information.

“Documents that affect the disposition of federal litigation are presumptively open to public view.” *In re Specht*, 622 F.3d 697, 701 (7th Cir. 2010). The public interest in transparent judicial proceedings “can be overridden only if the [litigants’

property and privacy] interests predominate in a particular case, that is, only if there is good cause for sealing a part or the whole of the record in that case.”

Citizens First Nat'l Bank of Princeton v. Cincinnati Ins. Co., 178 F.3d 943, 945 (7th Cir. 1999).

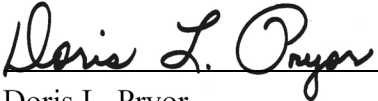
Defendants submitted Exhibit 13 as evidence in support of their motion for summary judgment, assert facts supported by the exhibit, and cite the exhibit. (Dkt. 112 at ECF pp. 7–8). By doing so, they have taken the position that the exhibit affects the disposition of this matter, which is a fair position to take. In addition, Defendants have redacted information protected under Fed. R. Civ. P. 5.2(a) and the exhibit is limited to a potentially relevant excerpt of Plaintiff's medical records. Therefore, the presumption of public access has not been rebutted and the motion to maintain the exhibit under seal should be denied.

Conclusion

Accordingly, Defendants Richard Stires, Lucas Traylor and Phillip Caldwell's Motion to Maintain Document Under Seal (Dkt. 111) is **denied**.

So Ordered.

Date: 3/31/2018


Doris L. Pryor
United States Magistrate Judge
Southern District of Indiana

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