UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA EVANSVILLE DIVISION

RICK CAMPBELL,)
Plaintiff,)
v.) 3:09-cv-68-RLY-WGH
KENNY KENT CHEVROLET COMPANY, INC., EVANSVILLE AUTOMOTIVE)))
LCC, and VT, INC.,)
Defendant.)

ORDER STRIKING SEALED DOCKET NOS. 93 AND 94

This matter is before the Honorable William G. Hussmann, Jr., United States Magistrate Judge, sua sponte. In response to a Motion for Summary Judgment, the Plaintiff has filed certain sealed exhibits at Docket Nos. 93 and 94. Although the Protective Order at Docket No. 36 allows for sealing under certain circumstances, there has not been compliance with S.D. Ind. Local Rule 5.3 which requires a showing of good cause prior to the filing of sealed exhibits in the resolution of a motion for summary judgment or at trial. The parties are reminded that the sealing of a record requires more than mere agreement among the parties. *U.S. v. Amodeo*, 44 F.3d 141, 147 (2nd Cir. 1995). The parties are also reminded that in this Circuit, non-parties are frequently given leave

to intervene for purposes of challenging any such motions to seal. *In re Associated Press*, 162 F.3d 503, 507 (7th Cir. 1998).

Therefore, the sealed documents are **STRICKEN** until good cause is shown why they must be filed sealed and until compliance with S.D. Ind. Local Rule 5.3.

SO ORDERED.

Dated: February 16, 2011

William G. Hussmann, Jr.
United States Magistrate Judge
Southern District of Indiana

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