

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JAMES MCLEAN,)	
)	
Plaintiff,)	
)	
v.)	Docket no. 2:18-cv-00152-GZS
)	
DELHAIZE AMERICA DISTRIBUTION)	
LLC,)	
)	
Defendant.)	

ORDER ON DEFENDANT’S MOTION TO SEAL

Before the Court is Defendant Delhaize America Distribution, LLC’s unopposed Motion to Seal Certain Documents (ECF No. 39), which the Court GRANTS IN PART and DENIES IN PART as further explained below.

To the extent Defendant’s Motion requests that ECF Nos. 38 and 39 remain sealed, the Motion is DENIED. Upon the Court’s review and determination that they contain no confidential information, the Court hereby ORDERS that ECF Nos. 38 and 39 shall be UNSEALED.

That said, the Court also ORDERS that the following exhibits may remain SEALED pending further order of the Court: ECF No. 38-1 consisting of a twenty-six-page deposition transcript of a non-party witness; ECF No. 38-2 consisting of nineteen pages of internal Delhaize correspondence pertaining to the Family and Medical Leave Act (“FMLA”) leave of that non-party witness; ECF No. 38-3 consisting of a six-page subpoena and attached exhibit ordering that non-party witness to appear for a deposition and produce specified documents; ECF No. 38-4 consisting of sixty-five pages of documents related to the FMLA leave of that non-party witness; and ECF No. 38-5 consisting of sixteen pages of documents related to the FMLA leave of that non-party

witness. In the Court's view, it is possible to produce redacted versions of these exhibits for the public record by removing any confidential medical and/or personally identifying information. Therefore, Defendant's counsel shall file under seal proposed redacted versions of these exhibits no later than Wednesday February 6, 2019.¹ Upon receipt of Defendant's proposed redacted exhibits, the Court will review them and determine whether they may be included in the public record.

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 23rd day of January, 2019.

¹ As to the subpoena, Defendant's counsel is free to propose redacting the deponent's name and address, but other portions of the subpoena shall not be redacted.