

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ANDREA REED :

:

v. : Civil Action No. DKC 16-2442

INNOVATIVE MANAGEMENT :
STRATEGISTS, INC. and MANAGEMENT
SOLUTIONS CONSULTING GROUP, INC.:

MEMORANDUM OPINION AND ORDER

Presently pending and ready for resolution is an unopposed motion to seal filed by Defendant Innovative Management Strategists, Inc. ("IMS") (ECF No. 8). For the following reasons, the motion to seal will be granted.

In connection with its motions to dismiss or for summary judgment (ECF Nos. 12; 20), IMS filed a redacted version of its 2014 tax returns to show ownership information relevant to the parties' arguments over whether IMS could be considered an integrated employer with Defendant Management Solutions Consulting Group, Inc. under Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. § 2000e *et seq.* (ECF No. 8 ¶¶ 4, 9). Upon filing the sealed document, IMS complied with Local Rule 105.11 and explained to the court that the tax returns contained confidential financial and ownership information about IMS, but that this same information was essential to its integrated employer arguments, meaning no alternative to sealing

would be sufficient. Rule 105.11 endeavors to protect the common law right to inspect and copy judicial records and documents, *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597 (1978), while recognizing that competing interests sometimes outweigh the public's right of access, *In re Knight Publ'g Co.*, 743 F.2d 231, 235 (4th Cir. 1984). In its Memorandum Opinion, the court granted IMS's motion to dismiss with regard to Plaintiff's Title VII claim without referencing the materials IMS moves to seal or addressing the integrated employer issue for which IMS introduced them. (See ECF No. 36). Given that the tax return information had no bearing on the court's decision, the public's interest in the information is outweighed by IMS's interest in protecting its confidential financial information. See *Randolph v. ADT Sec. Servs., Inc.*, No. DKC-09-1790, 2012 WL 2234362, at *11 (D.Md. June 14, 2012) (holding that confidentiality was warranted for tax returns and granting a consent motion to seal); *TransPacific Tire & Wheel, Inc. v. Orteck Int'l, Inc.*, No. DKC-06-0187, 2010 WL 2774445, at *3 (D.Md. July 13, 2010) (finding that tax returns may contain confidential information and granting an unopposed motion to seal), *aff'd on other grounds*, 457 F.App'x 256 (4th Cir. 2011) (unpublished opinion).

For the foregoing reasons, it is this 18th day of January, 2017, by the United States District Court for the District of Maryland, ORDERED that:

1. The motion to seal filed by Defendant Innovative Management Strategists, Inc. (ECF No. 8) BE, and the same hereby IS, GRANTED; and

2. The clerk will transmit copies of the Memorandum Opinion and Order to counsel for the parties.

/s/
DEBORAH K. CHASANOW
United States District Judge