

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHAVIS VAN & STORAGE OF)
MYRTLE BEACH, INC., et al.,)
)
Plaintiffs,)
)
vs.)
)
UNITED VAN LINES, LLC, et al.,)
)
Defendants.)

Case No. 4:11 CV 1299 RWS

MEMORANDUM AND ORDER

This matter is before me on plaintiffs’ opposition to summary judgment. Plaintiffs have filed the entirety of their submission – including their brief – under seal without permission from the Court. I normally do not permit sealed filings, and I certainly would never permit a party to file its opposition to summary judgment or statement of material facts under seal. If there are certain exhibits that need to be filed under seal in accordance with the parties’ protective order, then the Court will consider granting that upon a proper showing of need, but I will not permit the entirety of plaintiffs’ submission to be filed under seal. I will give plaintiffs until Monday to rework any portions of their submission to comply with this Memorandum and Order, but I expect plaintiffs’ memorandum in opposition to summary judgment, their statement of material facts, and any exhibits not specifically required to be sealed, to be filed as part of the public record by no later than 5:00 p.m. on Monday morning. Plaintiffs shall also be required to file a motion for leave to file any remaining exhibits under seal, and said motion shall include a showing of need for sealing. Failure to comply with this Memorandum and Order will result in the Court’s striking of plaintiffs’ opposition, and I will consider the pending motion for summary

judgment unopposed. Finally, if not clear by this Memorandum and Order, the parties shall file nothing else in this case under seal unless specifically granted leave to do so.

Accordingly,

IT IS HEREBY ORDERED that plaintiffs shall file their revised submission in opposition to summary judgment in accordance with this Memorandum and Order by no later than 5:00 p.m. on Monday, January 27, 2014. No extensions of time will be permitted, and failure to comply with this Memorandum and Order will result in the Court striking the plaintiffs' sealed opposition and considering the pending motion for summary judgment unopposed.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 24th day of January, 2014.