

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

TRACY CANNON, *Administratrix of the Estate
of Mark Cannon, Jr.*,

Plaintiff,

- v -

Civ. No. 9:15-CV-1417
(GLS/DJS)

CORRECTIONAL MEDICAL CARE, INC., *et al.*,

Defendants.

DANIEL J. STEWART
United States Magistrate Judge

ORDER

As part of this Court's March 17, 2017 Order, Dkt No.55, Counsel for Correctional Medical Care, Inc., provided to the Court for an *in camera* review certain financial statements. Those documents include the Correctional Medical Care Site Budget for the accounting periods ending 12/31/2012; 12/31/2013; 12/31/2014; 12/31/2015; and 12/31/2016, as well as the CBH Medical PC Income Statement for the periods ending 12/31/2015 and 12/31/2016; and the SM Dental PC Income Statement for 12/31/2015 and 12/31/2016. These records have been bated stamped "Confidential 689-704." Having reviewed the documents, and cognizant of the fact that the Plaintiff is making a *Monell* claim and is also seeking punitive damages from Correctional Medical Care, Inc., the Court concludes that the documents submitted for review should be provided to all counsel. However, due to the sensitive financial content, the Court directs that these records be marked "Attorneys Eyes Only" and be limited in their disclosure to counsel of record, counsel's staff, and experts retained by counsel. If the documents, or any part thereof, are to be included in any motion, or in a response to a motion, it should be filed preliminarily under seal, and the Court will then make a separate

determination as to whether they should remain sealed.¹ The documents in question shall be utilized only for the present action, and their disclosure in a separate action is left to the discretion of that particular court. Counsel for Correctional Medical Care, Inc., shall serve a copy of the documents, bated stamped Confidential000689-Confidential000704 upon counsel for all parties within seven days of the filing date of this Order.

IT IS SO ORDERED.

Date: June 30, 2017
Albany, New York


Daniel J. Stewart
U.S. Magistrate Judge

¹ See *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006).