

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION, :

Plaintiff, :

-against- :

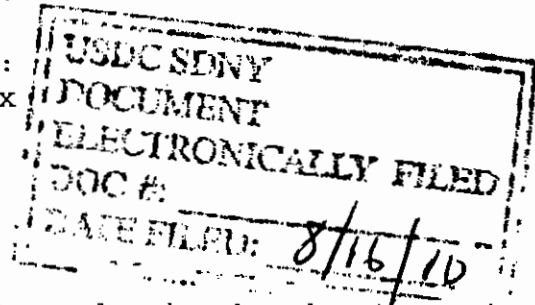
KELLEY DRYE & WARREN, LLP, :

Defendant. :
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ORDER

10 Civ. 655 (LTS) (MHD)

MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE JUDGE:



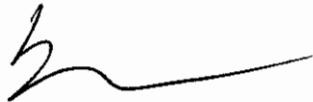
We have issued a confidentiality order in the above-captioned matter that adopts portions of both parties' proposed stipulations. In doing so, we decline to order that specific categories of documents be deemed confidential since no party has made a required showing of good cause for doing so. The parties are free, however, to agree to treat as confidential any category of documents or to seek court approval if they cannot agree on a category-by-category basis.

As for plaintiff's concern about the handling of discovery materials during motion practice (or at trial), the law does require a stronger showing to justify sealing court documents, and the court will, if called upon, apply that stricter standard if the parties do not agree.

Finally, we believe it to be unwieldy at this point to require, as plaintiff requests, that documents be broken down into confidential and non-confidential segments for all purposes. If either side finds a need for such treatment during discovery, it may apply to the court for relief, if the other side will not agree.

**Dated: New York, New York
August 16, 2010**

SO ORDERED.



**MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE JUDGE**

Copies of the foregoing Order have been sent today to:

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