

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, *ex rel.*

████████████████████,

Plaintiff,

-v-

AMERICAN UNIVERSITY OF BEIRUT,

Defendant.

14-CV-6899 (JPO)

OPINION AND ORDER

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

-v-

AMERICAN UNIVERSITY OF BEIRUT,

Defendant.

J. PAUL OETKEN, District Judge:

On May 15, 2017, this Court entered, under seal, an Opinion and Order in this case, maintaining the narrow sealing order at Docket Number 12. (Dkt. No. 31.) On June 14, 2017, this Court received a letter from the Relator requesting that the Court unseal its May 15, 2017, Opinion and Order in redacted format.

AUB does not oppose the unsealing of the May 15, 2017, Opinion and Order in redacted format. (Dkt. No. 34.) As such, AUB submitted a redacted form of the Opinion and Order, which is attached as Exhibit A.

On June 25, 2017, this Court received a letter on behalf of Ruthie Blum, “a blogger and journalist,” requesting that the Court unseal the entire record in this matter. (Dkt. No. 33.) As AUB notes, however, this Court lacks jurisdiction to consider the request to unseal the entire

record because jurisdiction over this aspect of the case has been transferred to the Second Circuit.

Here, counsel for the Relator filed a notice of appeal with the Second Circuit on June 2, 2017. The issue on appeal will be whether this Court erred in granting AUB's request for a limited, continued sealing of the relator's name—the precise issue raised in Ms. Blum's letter. (See Dkt. No. 33.) “[A] federal district court and a federal court of appeals should not attempt to assert jurisdiction over a case simultaneously.” *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982). Counsel's “filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.” *Id.*

For the foregoing reasons, the request to unseal the Court's May 15, 2017, Opinion and Order in redacted format is GRANTED and the request to unseal the entire case is DENIED.

SO ORDERED.

Dated: July 27, 2017
New York, New York



J. PAUL OETKEN
United States District Judge

EXHIBIT A

EXTRAORDINARY

SOUTHERN

INDUSTRIAL



RECORD

RECORD

AMERICAN



AMERICAN

AMERICAN

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AMERICAN



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The Court recognizes that “it is the responsibility of the district court to ensure that sealing documents to which the public has a First Amendment right is no broader than necessary,” *Aref*, 533 F.3d at 82, and determines that the ordered redaction is no broader than necessary to protect the interests identified in this Order.

II. Conclusion

For the foregoing reasons, the Court maintains the narrow sealing order in this case at Docket Number 12. This Order and the letters upon which it is based shall be mailed to the parties and placed under seal.

SO ORDERED.

Dated: May 15, 2017
New York, New York



J. PAUL OETKEN
United States District Judge