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March 4, 2025

VIA CM/ECF

The Honorable Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

RE: Raymond A. Joao v. Epic Systems Corporation, Case No. 1:25-cv-00857-JMF
Letter Motion for Leave to File Document in Redacted Form

Dear Judge Furman:

In accordance with Rule 7.C. of the Court's Individual Rules and Practices in Civil Cases, Standing Order 19-MC-583, and Section 6 of the S.D.N.Y. Electronic Case Filing Rules and Instructions, Defendant Epic Systems Corporation respectfully seeks leave to file in redacted form (1) Epic's Reply in Support of Motion to Transfer; and (2) Exhibit A to the Declaration of Bryce A. Loken in Support of Epic's Reply.

The information Epic seeks to redact from its Reply Brief and Exhibit A contain testimony from the February 25, 2025 deposition of Raymond A. Joao, taken in connection with *Epic Sys. Corp. v. Decapolis Systems, LLC*, Case No. 9:22-cv-80173 (S.D. Fla.). Pursuant to Rule 7.C.i. of the Court's Individual Rules, Epic conferred with Plaintiff Joao concerning Epic's intention to cite to and file portions of the transcript. Plaintiff Joao has designated 277:18–278:9 and 280:19–281:17 as RESTRICTED-ATTORNEYS' EYES ONLY and 279:22–280:12 as CONFIDENTIAL pursuant to the Stipulated Protective Order entered in the Florida action, a copy of which is enclosed.

On February 28, 2025, pursuant to Rule 7.C.i., the undersigned counsel informed Plaintiff Joao's counsel of the Court's requirement that Plaintiff file, within three business days, a letter explaining the need to seal or redact the aforementioned testimony.

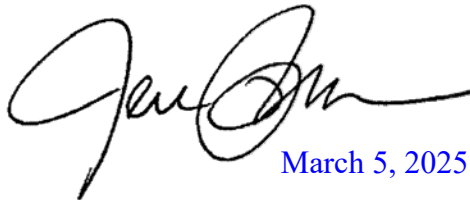
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We thank the Court for its attention to this matter and are happy to address any questions the Court may have.

The motion to seal is granted temporarily. That said, mere agreement between the parties to keep a document confidential is not sufficient to keep a “judicial document” sealed or redacted. *See, e.g., United States v. Wells Fargo Bank N.A.*, No. 12-CV-7527 (JMF), 2015 WL 3999074, at *4 (S.D.N.Y. June 30, 2015) (citing cases). Thus, if any party believes that the materials at issue should remain sealed or redacted, that party shall file a letter brief, within three days and not to exceed three pages, showing why doing so is consistent with the presumption in favor of public access to judicial documents. *See generally Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006).

The Clerk of Court is directed to terminate ECF No. 26.

SO ORDERED.



March 5, 2025

[Enclosure]

Respectfully submitted,



Bryce A. Loken (*Pro hac vice*)
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