

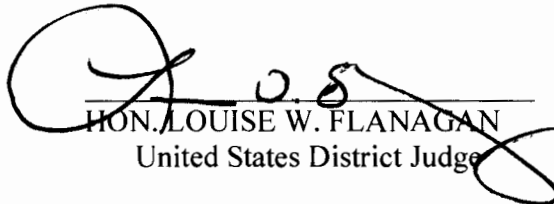
3. On December 13, 2012, during the discovery period, all parties stipulated to a protective order to protect information marked as “confidential” from public disclosure. (DE 46, Protective Order 1.)
4. The parties define “confidential information” as any document containing the social security numbers, dates of birth, financial account numbers, medical information or personal financial information of a party. (DE 46, Protective Order 2.)
5. Karen Taintor’s deposition was previously marked as confidential.
6. The Fourth Circuit utilizes factors to determine whether the records should be filed under seal, these factors including whether release would enhance the public’s understanding of an important historical event, whether the public already had access to the information, whether the records are sought for improper purposes or promote a scandal. *Silicon Knights, Inc. v. Epic Games, Inc.*, 5:07-CV-275-D, 2008 WL 2019648 (E.D.N.C. May 8, 2008).
7. Confidential and proprietary business information has been found to overcome the presumption of disclosure and allow the documents to be sealed. The Court must consider alternatives to sealing documents from public record before a motion to seal is allowed. *In re Knight Publishing Company*, 743 F.2d 231, 235 (4th Cir. 1984).
8. If the information sought to be kept private is so pervasive throughout the documents, redaction is not a sufficient alternative. *See Silicon Knights, Inc. v. Epic Games, Inc.*, No.5:07-CV-275, 2011 WL 902256, *2 (E.D.N.C. Mar. 15, 2011).
9. After examining the memorandum and exhibits at issue, the court finds that all contain confidential information where the risk of harm outweighs any public right to access and the alternatives to sealing are inadequate.

10. After publishing notice of the Motion to Seal of Dixie, the Court has not received any requests for public access to the records sought to be filed under seal, nor any requests for access pursuant to alleged First Amendment rights.

11. The Court has considered alternatives to sealing the records outlined in Dixie's Motion to Seal, but determines that the alternatives would harm Dixie's ability to pursue fully its Motion for Summary Judgment.

IT IS HEREBY ORDERED that the Memorandum of Law in Support of Defendant Dixie's Motion for Summary Judgment and the Deposition of Karen Taintor be filed and maintained under seal in accordance with Section T of the Court's Electronic Case Filing Administrative Policies and Procedure Manual.

This the 17th day of September 2013.



HON. LOUISE W. FLANAGAN
United States District Judge