

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
Western Division
No. 5:12-CV-00570-FL

KRAUSZ INDUSTRIES LTD.)
f/k/a Krausz Metal Industries Ltd.,)
)
Plaintiff,)
)
v.)
)
SMITH-BLAIR, INC., SENSUS USA,)
INC. and SENSUS MANUFACTURING)
SHANGHAI LIMITED,)
)
Defendants.)

ORDER

This matter comes before the Court on the Consent Motion to Seal Portion of Plaintiff’s Supplemental Brief in Support of Its Motion to Compel Production of Documents [DE 245] and Exhibit G [DE 245-1] Thereto (the “Motion to Seal”).

WHEREAS, Exhibit G to Plaintiff’s Supplemental Brief in Support of Its Motion to Compel Production of Documents [DE 245] (“Plaintiff’s Supplemental Brief”) contains non-public information belonging to Smith-Blair, Inc. (“Smith-Blair”) and/or Sensus USA, Inc. (“Sensus USA”) concerning their communications with counsel relating to this matter, as well as communications among their counsel; and

WHEREAS, it appears to the Court that Smith-Blair and Sensus USA claim, in good faith, that disclosure of the confidential information contained in Exhibit G to Plaintiff’s Supplemental Brief could cause harm to their competitive position; and

WHEREAS, it appears to the Court that the information contained in Exhibit G Plaintiff’s Supplemental Brief is discussed in a portion of Plaintiff’s Supplemental Brief; and

WHEREAS, Smith-Blair and Sensus USA have submitted a proposed redacted copy of Plaintiff's Supplemental Brief for filing in this action; and

WHEREAS, the public's right to access to such to information is outweighed by the interest which Smith-Blair and Sensus USA claim in protecting against its public disclosure; and

WHEREAS, the Court has provided notice to the public of Smith-Blair's and Sensus USA's motion to seal; and

WHEREAS, it appears that less restrictive alternatives to sealing would not be practical or adequate to preserve the confidentiality of the information in question;

NOW, THEREFORE, upon consideration of the Motion to Seal, the memorandum in support thereof, and the entire record herein, it is hereby

ORDERED that the Motion to Seal is hereby GRANTED; and it is

FURTHER ORDERED that Exhibit G [DE 245-1] to Plaintiff's Supplemental Brief be FILED UNDER SEAL; and it is

FURTHER ORDERED that Plaintiff's Supplemental Brief [DE 245] be FILED UNDER SEAL and that the Clerk file in this action the redacted copy of same in the form submitted as Exhibit 1 to the Motion to Seal.

This the 27th of September, 2017.



LOUISE W. FLANAGAN
UNITED STATES DISTRICT COURT JUDGE