

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

DIANE LOVE,)	Case No. 5:16-CV-00860
)	
Plaintiff,)	JUDGE LOUISE WOOD FLANAGAN
)	
vs.)	
)	
EATON CORPORATION DISABILITY)	ORDER GRANTING JOINT MOTION
PLAN FOR U.S. EMPLOYEES,)	TO FILE ADMINISTRATIVE RECORD
)	UNDER SEAL
)	
Defendant.)	
)	

This matter is before the Court on the parties’ Joint Motion to File Administrative Record Under Seal pursuant to Federal Rule of Civil Procedure 5.2 and Local Civil Rule 79.2 of this Court. The Court has considered the motion and makes the following findings:

1. In this case, Plaintiff seeks judicial review of the denial of both short-term and long-term disability benefits by Defendant under the Employee Retirement Income Security Act based upon the Administrative Record before the Plan.

2. The Administrative Record¹ is replete with personal financial and medical information of Plaintiff, including Plaintiff’s medical history, medications and other treatments that were prescribed for Plaintiff by medical professionals, social security number, date of birth, home address and telephone number, and other information that has the potential to cause embarrassment or of being exploited unlawfully.

3. Given the confidential nature of the information in the Administrative Record, the public’s right to access judicial information is not outweighed by Plaintiff’s right to privacy.

¹ The Administrative Record consists of two parts: ADMINREC000001 through ADMINREC000599 (Plaintiff’s short-term disability claim) and ADMINREC000001 through ADMINREC001810 (Plaintiff’s long-term disability claim). The digital size of the Administrative Record is 157.1 Megabytes (MB).

4. Any alternatives to sealing, including redaction, are inadequate and impractical given the frequency of confidential information in the Administrative Record. Redaction or other alternatives would render the record unusable for purposes of judicial review.

5. All parties consented to the motion.

6. The motion is consistent with and in compliance to the provisions of the E-Government Act of 2002.

IT IS THEREFORE ORDERED that the parties' motion is GRANTED, and the Administrative Record shall be sealed by the Clerk of Court upon filing subject to further order by this Court.

IT IS FURTHER ORDERED that the Administrative Record shall be filed on the docket of this case, and where the CM/ECF maximum size per filing is 50 MB, and the parties indicate the Administrative Record is 151.1 MB, it would appear as four separate documents.

This the 23rd day of May, 2017.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive style with a large initial "L".

The Honorable Louise Wood Flanagan
United States District Judge