

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:12cv281**

THE WELLNESS GROUP, LLC,)
)
 Plaintiff,)
)
 v.)
)
 KING BIO, INC., et al.,)
)
 Defendants.)
 _____)

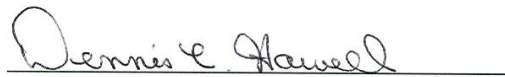
ORDER

Pending before the Court is the Motion to Seal [# 60]. Plaintiff moves to seal two exhibits submitted in support of its previously filed discovery motion, which the Court recently denied. The exhibits are excerpts from the deposition transcripts of Dr. Frank King and Suzie King. The parties designated the depositions as Confidential Information pursuant to the Consent Protective Order the parties entered into on January 23, 2013.

Upon a review of the excerpts of the deposition transcripts, the Court sees no grounds justifying sealing these excerpts; the excerpts do not appear to address any confidential or other testimony that would normally be sealed by the Court in civil litigation. Moreover, the motion fails to explain how competing interests in this case outweigh the public’s right to access. Accordingly, the Court **DENIES without prejudice** the motion [# 60]. The exhibits, however, shall remain under

seal for ten (10) days from the entry of this Order. Either party may file a renewed motion within this ten day period setting forth sufficient grounds justifying sealing the two exhibits at issue and the Court will reconsider sealing the documents. The Court simply cannot justify an Order sealing these exhibits on the information in the record before it currently.

Signed: November 8, 2013

A handwritten signature in cursive script that reads "Dennis L. Howell". The signature is written in black ink and is positioned above a horizontal line.

Dennis L. Howell
United States Magistrate Judge

