

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Crossmann Communities of North Carolina,) Civil Action No.: 4:09-cv-1379-RBH
Inc.; Crossmann Communities, Inc.;)
Beazer Homes Investment Corporation,)
and Beazer Homes Corp.,)
Plaintiff,)
v.)
Harleysville Mutual Insurance Company,)
Defendant.)

**ORDER SEALING
CERTAIN EXHIBITS
AND ATTACHMENT A
TO BEAZER'S MOTION TO
REDACT TRIAL TRANSCRIPT**

This matter comes before the court on the motion of Crossman Communities of North Carolina, Inc.; Crossmann Communities, Inc.; Beazer Homes Investment Corporation; Beazer Homes Corporation (“Beazer”) to seal Attachment A to Beazer’s [377] Motion to Redact the August 13, 2013 Trial Transcript. [ECF No. 376]. The motion indicates that counsel for Beazer contacted opposing counsel and that no objections were received.

The Court previously granted, on a temporary basis, the parties' Joint Motion to seal [ECF No. 345] certain confidential settlement agreements which were introduced as exhibits at trial. In accordance with *In re Knight Publishing Company*, 743 F.2d 231 (4th Cir. 1984), the court granted the foregoing motion to seal on a temporary basis. Because *In re Knight* requires the court to provide public notice of a party's request to seal and allow interested parties an opportunity to object, the order provided that any interested party who wished to object to the permanent sealing of the documents at issue might file a notice of appearance and state its objections by August 23, 2013. No objections were filed with the court. The Court accordingly converts the temporary order into a permanent order to seal the exhibits.

Beazer now requests that, for the same reasons stated in the Joint Motion to Seal [ECF No. 345], the names of the entities entering into the confidential settlements be redacted from the trial transcript and thus sealed. The Court finds the request appropriate and has reviewed *in camera* Attachment A to the Motion to Redact. The Court further finds it is not necessary to provide the public with additional notice of this motion because it relates to the same information covered by the previous motion to which no objections were filed. The Court therefore grants [376] Motion to Seal Attachment A to Beazer's Motion to Redact the August 13, 2013 Trial Transcript.

IT IS SO ORDERED.

January 15, 2014
Florence, SC

s/R. Bryan Harwell
United States District Judge