

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )  
)  
)  
Plaintiff, )  
)  
-vs- )  
)  
)  
McLEOD HEALTH, INC. , )  
)  
Defendant. )  
\_\_\_\_\_ )

Civil Action No.: 4:14-cv-3615-BHH-TER

**ORDER**

Presently before the court is Defendant’s Motion to Seal (Document # 34), in which it seeks to seal it’s motion for summary judgment and the exhibits thereto.<sup>1</sup> Plaintiff consents to the motion. All pretrial proceedings in this case were referred to the undersigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(A) and (B) and Local Rule 73.02(B)(2)(g), DSC.

This action is brought pursuant to the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101, et seq., and involves the medical condition of Cecilia Whitten, who is not a named party in this litigation, but for whom the Equal Employment Opportunity Commission seeks relief. The medical records relied upon by Defendant in its motion for summary judgment have previously been marked confidential pursuant to the Confidentiality Order (Document # 22) entered in this case.

In addition to the sensitive nature of the medical records, the parties represent that the memorandum in support of the motion for summary judgment as well as the deposition excerpts attached as exhibits discuss Ms. Whitten’s medical records and her medical condition in detail, such that redaction of the sensitive information would render the filings meaningless.

<sup>1</sup>Public notice of this request to seal has been satisfied through docketing of the Motion to Seal. See Local Civil Rule 5.03(D), D.S.C.

For these reasons, the Motion to Seal (Document # 34) is **GRANTED**, and Defendant's motion for summary judgment, memorandum, and exhibits, as well as the subsequent response and reply briefs and exhibits shall be filed under seal. However, the court reserves the right to review this order after all briefs and exhibits are filed, and the court has had an opportunity to review all documents at issue.

**IT IS SO ORDERED.**

s/Thomas E. Rogers, III  
Thomas E. Rogers, III  
United States Magistrate Judge

August 24, 2015  
Florence, South Carolina